

**World Economics Association
Conferences, 2016**

**FOOD AND JUSTICE
Ideas for a new global food agenda**

2016, n. 2: 5th November to 5th December 2016

Title of paper: The democratisation of access to land in Brazil between 2003-2015

Authors: Vicente P. M. de Azevedo Marques and Mauro Eduardo DelGrossi

Abstract

The settlements of agrarian reform are substantial food producers in Brazil, especially of regional products. Between 2003-2015, the Brazilian federal government has made a great effort to guarantee the fulfilment of constitutional rights and a dignified life for rural inhabitants. In the pursuit of democratising and granting access to land, as well as in related efforts to reduce violence in rural areas, land policies have been considerably amplified and better articulated with other public policies. These actions have produced concrete results, to which the more than 798,000 families settled in 52 million hectares of land since 2003. For many people, advances above were shy, considering the huge inequality in access to land in Brazil, but were much when you consider our history of agrarian policies. Nowadays, all these advances are under threat, considering the new government's announcements of a new legal framework for agrarian reform, from the perspective of strong reduction in social investment by the federal government.

Key-words: Agrarian reform, access to land, Brazil.

Author(s) details:

Marques is agronomist at National Institute for Colonization and Agrarian Reform (INCRA), Brazil.

DelGrossi is professor at the University of Brasília (UnB), Brazil.

The democratisation of access to land in Brazil between 2003-2015

The settlements of agrarian reform are substantial food producers in Brazil, especially of regional products. Common products such as rice, beans, cassava, corn, tomatoes, bananas, cotton, sugarcane, coffee, orange, lemon, tangerine, cow's milk, eggs, wool, beef cattle, pigs, goats, sheep, poultry, black pepper, papaya, sisal, guava, mango, acai, cocoa, passion fruit, grape, apple or peach. Mentioning some examples, in 2006 the settlers produced 9% of the national rice, 9% of beans, 15% of cassava, 11% of banana, 9% of cow's milk, held 10% of the national cattle herd, between many other products (MARQUES et al., 2012).

Land access policies in Brazil have involved a significant set of actions aimed at democratising access to land and strengthening family farming, especially since 2000. These policies have been implemented in a context of high concentration of land ownership and access to natural resources, as well as frequent land disputes and related rural violence, among other prevailing characteristics of the Brazilian agrarian structure.

The origins of the concentration of land ownership hark back to the early 1500s, when Brazil was ruled by the Portuguese Crown and the colonial process of land occupation was based on the imprecise concession of large and remote areas of land, which left much of the Brazilian territory unmapped, without demarcation and lacking registration documents. It was not until 1850 that land was recognised by law as private property¹, decades after the country's formal independence, when most of its land distribution had already been consolidated among a very small group of people, excluding indigenous peoples and other traditional communities from any right to property. Only a century and a half later did the Federal Constitution of 1988 and its amendments² fully reaffirm the right to property of land (conditional on the fulfilment of its social function) by enshrining this principle as part of its fundamental rights and guarantees, as well as by formally recognising the land rights of indigenous peoples and quilombola³ communities.

Land reform

Starting in 2003, the federal government embarked on a major effort to create and expand public policies for the strengthening of family farming and, simultaneously, for the settlement of thousands of landless families. Since then, more than 52 million hectares-comprising about 4,000 new projects, which have settled over 798,000 families-have been incorporated into the broader land reform process initiated during the democratisation period in the mid-1980s, effectively accounting for about two thirds of it, both in numbers of settled families and area size. Indeed, according to the National Institute of Colonization and Agrarian Reform (INCRA), as of April 2015 there were 969,129 settled families in 9,263 land reform projects (MDA 2015), comprising a total area of 88 million hectares-about 10 per cent of the Brazilian territory. These families were mainly distributed in regions of the Legal Amazon (621,000 families settled in 3,400 projects) and in semi-arid areas (117,000 families settled in 2,200 projects).

¹ Law No. 601, 1850: <http://www.planalto.gov.br/ccivil_03/LEIS/L0601-1850.htm>.

² 4. Federal Constitution of Brazil, 1988:

<http://www.planalto.gov.br/ccivil_03/Constituicao/ConstituicaoCompilado.htm>.

³ Descendants of Afro-Brazilians who resisted and/or escaped from their slave masters during slavery and formed quilombos, independent rural settlements, many of which remain to this day.

There are various types of environmental modalities in land reform settlements, which can occur in forests, extractive reserves or sustainable development units (INCRA, 2015). The projects cater to the needs of specific groups, especially women, whose names have been systematically included in all titles of land reform settlements and land regularisation programmes, regardless of their marital status.

In addition to policies focused on access to land, a great effort has been made to articulate public policies (Del Grossi and Marques 2015), to ensure that land reform beneficiaries have access to other government initiatives, such as infrastructure (housing, water, electric power and roads), social assistance (especially with civil documentation), social security, income support to families living under extreme poverty through cash transfers (Bolsa Família-Family Grant) as well as to families whose livelihoods contribute to environmental conservation (Bolsa Verde-Green Grant), technical assistance and rural extension (ATER) and credit for production (Pronaf⁴ rural credit at subsidised rates). When enrolled in Pronaf, land reform beneficiaries also have access to climate insurance and price guarantee schemes (Family Farming Insurance – SEAF - and Price Guarantee Programme for Family Farming-PGPAF), while those settled in semi-arid areas have access to specific regional climate insurance (Garantia-Safra-Harvest Guarantee)⁵.

In the marketing sphere, the government encourages the installation and modernisation of agro-industrial collective enterprises-through programmes such as Terra Sol (Sun Land)⁶ and Terra Forte (Strong Land)⁷ - which have benefited 209,000 settled families since 2004 (MDA 2015). Part of the families' production is also destined to institutional markets (through the Food Acquisition Programme- PAA-and the National School Feeding Programme-PNAE).

In addition to facilitated access to elementary and professional public school networks (Pronatec Campo), settled families also have access to the National Programme for Education in Land Reform (Proneira)⁸, which started in 1988 with the aim of expanding the formal education levels of land reform beneficiaries. Proneira offers elementary courses-besides secondary and tertiary education-including literacy, technical and specialised professionalization courses, all of which use a pedagogical approach adapted to local contexts.

Complementary to the land reform programme described above and its related policies, the National Land Credit Programme (PNCF)⁹ provides subsidised credit to finance the acquisition of land by small farmers and has benefited around 97,000 families since 2003. PNCF additionally offers resources for the installation of social and productive infrastructure, and provides for the hiring of technical assistance and rural extension officers. It also includes specific clauses to assist poorer farmers and rural youth who may have an interest in acquiring land and settling as family farmers.

⁴ The National Programme for Strengthening Family Farming (Pronaf) is a rural credit scheme exclusively for family farmers. In 2013/2014, the programme funded the production of 1.9 million farmers.

⁵ See FAO 2016 Superación del hambre y de la pobreza rural: iniciativas brasileñas, for more details about policies to support family farm in Brazil.

⁶ See <http://www.incra.gov.br/programa_terra_sol>.

⁷ See <<http://www.incra.gov.br/terraforteprograma>>.

⁸ See <http://www.incra.gov.br/educacao_pronera>.

⁹ See <<http://www.mda.gov.br/sitemda/secretaria/sra-crefun/sobre-o-programa>>.

Land regularisation in the Legal Amazon region

The Terra Legal (Legal Land) programme is aimed at granting the right of use of federal land previously occupied or informally settled by family farmers in the Legal Amazon region (states of Acre, Amapá, Amazonas, Maranhão, Mato Grosso, Rondônia, Roraima and Tocantins)¹⁰, thereby speeding up land regularisation processes of legitimate occupations in rural and urban areas. The amounts charged for the newly titled land and payment deadlines vary according to their size, while gratuity is ensured for very small areas. The granting of titles is conditional on the sustainable use of natural resources and environmental conservation.

By March 2015, the Terra Leal programme had georeferenced more than 10 million hectares and issued close to 18,000 titles in rural areas and 292 titles in urban ones, covering a total area of 1.4 million hectares (MDA 2015).

The Brasil Quilombola programme and other programmes for traditional communities

The Brazilian Federal Constitution of 1988 recognised the rights of remaining quilombola communities to their land, as a means of reparation towards Afro-descendants with a social history of resistance against slave oppression during the Brazilian colonial period. More than 2,000 communities have already been identified and certified (SEPPIR 2015).

The Brasil Quilombola programme, launched in 2004, aims to consolidate a state policy for these communities, addressing the following points: access to land (delimitation, certification and granting of land title); infrastructure and quality of life (housing, sanitation, electrification, communication, access roads, as well as access to health care, education and social assistance); productive inclusion and local development (technical assistance and other public policies for family farming specifically tailored to quilombola communities); and rights and citizenship. According to SEPPIR (2015), 168 quilombola areas had had their identification and delimitation reports concluded by 2014, benefiting 23,000 families over an area of approximately 1.7 million hectares.

The original rights to land traditionally occupied by indigenous peoples are ensured through a specific programme, which has regularised more than 100 million hectares for 434 communities since its inception (FUNAI 2015).

Other initiatives for land regularisation targeting traditional peoples and communities are under way, such as the Nossa Várzea (Our Lowlands) project: Citizenship and Sustainability in the Brazilian Amazon, which guarantees riverside families and communities the recognition of their traditional ownership of the lands they and their ancestors have occupied and their role as agents who promote environment conservation and local development (MPOG/SPU 2015).

Lastly, one should also note the existence of programmes for land regularisation that are run by individual states of the Brazilian federation, which are adapted to each state's particular context.

¹⁰ See Law No. 11.952 of 2009: <http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2009/lei/11952.htm>.

Territorial management

Through the increased use of georeferencing systems, the Brazilian government has in recent years invested considerable efforts in improving the coverage, reliability and integration of land registries, which are considered fundamental in the governance of land and for the processes of land redistribution and regularisation in rural areas. Despite these mechanisms and the advances made over the past few years, Brazil still has vast swathes of non-regularised land as well as significant challenges to overcome in integrating often conflicting and overlapping land registries.

Final considerations

Between 2003-2015 the Brazilian federal government has made a great effort to guarantee the fulfilment of constitutional rights and a dignified life for rural inhabitants. In the pursuit of democratising and granting access to land, as well as in related efforts to reduce violence in rural areas, land policies have been considerably amplified and better articulated with other public policies in the last decade, with the overarching aim of creating the necessary conditions for the fulfilment of rights and sustainable production of family farmers and traditional peoples and communities.

These actions have produced concrete results, to which the more than 798,000 families settled in 52 million hectares of land since 2003 attest. Indeed, not only did the land reform process initiated in the 1980s accelerate and intensify after 2003, it was also more transparent and participatory, as social movements and unions were given greater voice and involvement than under previous administrations-undoubtedly one of the central reasons for the significant achievements of the most recent chapter of land reform in Brazil.

For many people, advances above were shy, considering the huge inequality in access to land in Brazil, but were much when you consider our agrarian policies history. Nowadays, all these advances are under threat, considering the new government's announcements of a new legal framework for agrarian reform, from the perspective of strong reduction in social investment by the federal government.

References

Del Grossi, Mauro Eduardo; Marques, Vicente P.M. Azevedo. 2015. "An in-depth review of the evolution of integrated public policies to strengthen family farms in Brazil." ESA Working Paper, No. 15-01. Rome: Food and Agriculture Organization of the United Nations. <<http://www.fao.org/publications/card/en/c/081e4416-dcdf-4981-a488-47f6a659c81b>>.

FAO. 2016. Superación del hambre y de la pobreza rural: iniciativas brasileñas. Brasília, FAO BRASIL. <<http://www.fao.org/3/a-i5335s.pdf>>. Accessed October 2016.

FUNAI. 2015. "Modalidades de Terras Indígenas." <<http://www.funai.gov.br/index.php/indios-no-brasil/terras-indigenas>>. Accessed August 2015.

INCRA. 2015. "Criação de assentamentos." <<http://www.incra.gov.br/assentamentoscriacao>>. Accessed August 2015.

MDA. 2015. "MDA and INCRA Information."

<<http://www.mda.gov.br/sitemda/pagina/acompanhe-a%C3%A7%C3%B5es-do-mda-eincra>>. Accessed August 2015.

Marques, V., DelGrossi, M.E. & França, C.G. 2012. O censo 2006 e a reforma agrária: aspectos metodológicos e primeiros resultados. Brasília, MDA, 108 p.

MPOG/SPU. 2015. "Projeto Nossa Varzea: sustentabilidade e cidadania na Amazonia."

<<http://patrimoniode.todos.gov.br/programase-acoes-da-spu/amazonia-legal/projetonossa-varzea-sustentabilidade-e-cidadaniana-amazonia-1>>. Accessed 19 August 2015.

SEPPIR. 2015. "Sistema de Monitoramento das Políticas de Promoção da Igualdade Racial." <<http://monitoramento.seppir.gov.br>>. Accessed August 2015.