

Copyright is owned by the Author of the thesis. Permission is given for a copy to be downloaded by an individual for the purpose of research and private study only. The thesis may not be reproduced elsewhere without the permission of the Author.

Indigenous rights and development: inequality constraints in Brazilian cities

A thesis presented in partial fulfilment of the
requirement for the degree of

Master of International Development

at Massey University, Palmerton North,
New Zealand

Soraya Souza Zaiden
2013

Abstract

This thesis aims at identifying how indigenous rights, as part of a human rights approach to development, have been addressed by urban welfare policies in Brazil. As a starting point, this desk based study is primarily focused on an analysis of the impacts of urbanisation on indigenous livelihoods. Despite not being a new trend, urbanisation of indigenous people has exposed their situation of deprivation and disadvantage, and the increasing pressures of assimilation policies. Social indicators of urban indigenous communities' wellbeing have pointed to a growing gap between indigenous and non-indigenous population. The access to distinct basic welfare provision is not only determinant in reducing disparities but would also represent the compliance of a state with the indigenous rights framework. This thesis investigates if and how the Brazilian social agenda is in compliance with an indigenous rights framework.

The Brazilian government acknowledged Brazil as multi-ethnic, which is reflected in the domestic legal framework, and also in the ratification of international covenants and declarations related to indigenous rights. However, the need of the urban indigenous population for differentiated service provisions has represented a challenging matter in policy making. The existence of an implementation gap between the indigenous rights framework and their effective application is a relevant theme for analysis and evaluation, in order to identify the factors that are hindering state compliance with the standards that have already been legislated. To this regard, the experience of urban indigenous communities in Brazil is explored in two case studies, related to the Pankararu, in Sao Paulo, and the Terena, in Campo Grande. The outcomes of the mainstream welfare policies are also investigated through the lens of urban indigenous communities. Ultimately this thesis unveils the potential of the Brazilian state, as the duty-bearer of indigenous rights, as capable and responsible to unleash the realisation of indigenous expectations to overcome powerlessness, economic underdevelopment and cultural disruptions.

Acknowledgements

This thesis has represented the accomplishment of a project envisioned two decades ago. The pathway for fulfilling this aspired dream was paved with losses and gains, and also with advances and setbacks. At the end, hope has prevailed over all difficulties and has led me this far. Nevertheless, it would have been impossible to carry out this thesis without the support of a number of people.

First of all, I would like to thank my family – in New Zealand and in Brazil – thank you all for your encouragement and support throughout these years. In special I would like to thank my husband, Sydney Possuelo. Your life experience of unconditional love, respect and absolute dedication to indigenous people has inspired me and always will.

I would also like to express my deepest esteem and regard for my supervisor Dr Maria Borovnik. I will always be grateful for the outstanding support and encouragement you gave me throughout my thesis. You willingly awarded me with your time and knowledge. Your enthusiasm and confidence challenged and motivated me. Your guidance and comments were crucial in structuring my reasoning and ensuring consistency in my writing. Thank you very much.

Finally, I wish to also express my appreciation to the staff of the Institute of Development Studies, in particular Professor Regina Scheyvens, Associate Professor Glenn Banks, Dr Gerard Prinsen and Dr Rochelle Stewart-Withers, for building up my knowledge.

Table of contents

Abstract.....	ii
Acknowledgements	iii
Table of contentes	iv
Chapter 1	
Introduction	1
1.1 Rationale to undertake this study	2
1.2 Research aim and questions	3
1.3 Introduction to the theoretical framework.....	4
1.4 Methodology	6
1.5 Thesis outline	7
Chapter 2	
The right to indigenous inclusion in development	9
2.1 Introduction	9
2.2 Indigenous urban drift: the human rights situation and living conditions in urban areas.....	11
2.2.1 The impact of urban drift on indigenous livelihoods	13
2.3 Indigenous rights within human rights approaches to development.....	15
2.3.1 The development of conceptual and legal frameworks of indigenous rights	16
2.3.2 Emergence of indigenous organisations and indigenous advocacy	20
2.4 Ethnodevelopment policies: the indigenous right to development	22
2.5 Subaltern indigenous development	25
2.6 Chapter conclusions	27

Chapter 3

Multi-ethnic Brazil and the constraints of the urban indigenous population	28
3.1 Introduction	28
3.2 General background on Brazil	28
3.2.1 The unequal social and spatial occupation of urban land.....	30
3.2.2 Urbanisation and development: the challenge and the role of the Brazilian government	31
3.3 Indigenous people in Brazil	33
3.3.1 Impact of development on indigenous demography and livelihood	34
3.3.2 The recent situation of Brazilian indigenous people.....	34
3.3.3 The legal framework: Indigenous people as Brazilian citizens.....	37

Chapter 4

The exclusionary experience of Brazilian urban indigenous people ...	40
4.1 Introduction.....	40
4.2 Being indigenous and being invisible: the geography of urban exclusion.....	41
4.2.1 Struggling to survive: the Pankararu in Sao Paulo.....	42
4.2.2 Displaced and encroached: the Terena stalemate.....	45
4.2.3 Commonalities in the narratives of deprivation of urban indigenous communities.....	48
4.3 Urban indigeneity in perspective: Politics of indigeneity	49
4.3.1 Access to a culturally-sensitive health provision	50
4.3.2 Access to a culturally-sensitive education provision	53
4.3.3 Access to mainstream housing policy	55
4.3.4 Access to mainstream cash transfer policies	57

4.4 Chapter conclusions	58
-------------------------------	----

Chapter 5

Discussion and Conclusions	60
5.1 Introduction	60
5.1.1 Thesis summary.....	60
5.2 Key issues in the context of this study	61
5.2.1 Key issue 1: social inclusion in welfare policies in Brazil.....	62
5.2.2 Key issue 2: social inclusion in practice	63
5.2.3 Key issue 3: social inclusion in the context of ethnodevelopment policies ..	67
5.3 Conclusions and recommendations.....	68
5.4 Unlocking the silence, breaking out invisibility	72

References	74
-------------------------	-----------

Appendices

Appendix 1: Consultation – FUNAI (National Indigenous Foundation)	88
Appendix 2: Consultation - Ministry of Health	90
Appendix 3: Consultation - Ministry of Education	91
Appendix 4: Consultation - Ministry of Cities	93
Appendix 5: Consultation - Ministry of Social Development	94

Chapter 1

Introduction

Worldwide, indigenous peoples living in urban settings have been assigned to the fringes of society and are facing weakened economic and social conditions. Displaced from their origins, encroached by the expansion of urban centres, or driven by the hope of economic development, the urban experience of ethnic groups has proved detrimental to indigenous communities, largely due to the inherent difficulties in adapting to new cultural practices and lifestyles (IOM, 2008, p. 24). More than any other group living in poverty, urban indigenous peoples are susceptible to discrimination and marginalisation, in particular due to the negativities reinforced by stereotypes about indigeneity (Patrinos, 2000, p. 9). The hardships undergone by urban indigenous communities are aggravated by the complexity of the conditions of industrialised and globalised urban settings, in which obstacles such as the lack of skills for urban living, language barriers, lack of formal education and distinct cultural practises downgrade their traditional livelihoods to a pervasive condition of poverty (IOM, 2008, p. 24). Realistic planning for an inclusive social development agenda calls for explicit consideration of the needs of these disenfranchised groups. A broad transnational consensus of a holistic vision of development is consistent with human rights standards and has led multi-ethnic states to restructure the mechanisms of urban management, combining development efforts such as poverty reduction with distinct dimensions of human rights approaches (Hamm, 2001, p. 1011). In this context, dimensions such as non-discrimination, participation and empowerment, and a democratic socially-inclusive structure are pivotal to ensure the full enjoyment of human rights (UNFPA, 2007, p. 6, Hamm, 2001, p. 1011).

As a member of the international community, Brazil has ratified major human rights treaties and covenants and has also acknowledged the status of multi-ethnic states by

way of constitutional provision. As such, the adoption of human rights as a frame of reference for development policy should be reflected in mainstream welfare policies. Indeed, since the late 1990s, Brazil has embraced social safety nets as strategies for poverty reduction, in which notions of universal citizenship have been embedded. Despite it having been heralded that the introduction of welfare policies would target the poorest and most vulnerable groups, the extent to which these mainstream policies have reached urban indigenous peoples has not been evidenced by official statistics.

Grounded in the premise that a comprehensive and multidimensional framework of rights could add value to a new approach to development, this thesis will examine the constraints of urban indigenous groups in Brazilian cities, placing indigenous rights under the lens in the context of the current social development agenda. My particular reasons for undertaking this study arose from my personal concern over the longstanding disregard for indigenous rights, but also because this study would grant me an excellent opportunity to improve my knowledge about this highly relevant development issue. The next section further contextualises the rationale behind my decision to explore this topic.

1.2 Rationale to undertake this study

Having been engaged in development practice since 1984, I have transitioned between the Brazilian state agencies for development and the grassroots communities and organisations, specifically representatives of the lower stratas of the population. After witnessing the limited outcomes of the social development agenda in terms of reaching distinct groups, it has become clear to me that multicultural minorities have been set aside from the benefit of collective and individual entitlements generated by the mainstream policies framework. In fact, throughout my 28 years of involvement in issues around urban indigenous peoples were addressed only once, during an assessment of the Terena's Marçal de Souza urban village, in 2006.

Built in 1999, the Marçal de Souza indigenous village represented a hopeful future for the Terena, in the city of Campo Grande, as will be later referred to in Chapter 4. In accordance with the original project, concerns with traditional elements of indigenous

culture, such as the architecture of the houses, the indigenous school and the centre for development of indigenous culture, appeared to herald a new age, in which social inclusion grounded in indigenous rights could be ensured. In 2006, the living conditions of the inhabitants of the Marçal de Souza indigenous village did not present any improvement in health, education and economic status. On the contrary, the houses were poorly preserved and partly occupied by poor non-indigenous people, the centre was abandoned and the school was half attended by non-indigenous children, with a shift in the original concept of a distinctive curriculum. This outcome not only unsettled me, but also gave me cause to ask myself to what extent an assimilationist approach in policy was underlying the decision making process, not only in the mindsets of my co-workers but also in my own mind.

An important justification for this study therefore is the longstanding need to discuss urban indigenous development in detail, analysing documentation, reports and literature concerning mainstream welfare policies in Brazil. By evaluating and critiquing traditional urban indigenous development and recommending alternatives, this study holds out hope for exploring alternative strategies to enable these vulnerable, discriminated and disenfranchised groups to transcend concerns of invisibility, by pursuing the development that indigenous people aspire to.

1.3 Research aim and questions

This thesis seeks to explore to what extent indigenous rights have been addressed in urban welfare policies in Brazil.

- How have current urban development policies in Brazil addressed social inclusion of urban indigenous groups?
- How have the diverse views of indigenous peoples within urban settings been addressed by the Brazilian mainstream social policies framework?
- How could indigenous rights be strengthened in urban development practice?

1.4 Introduction to the Theoretical Framework

This thesis is placed within an indigenous rights approach to development. The interrelation and interdependence of indigenous rights as an authentic concern of development policy will be emphasised. The notion of inclusive citizenship based on recognition of diversity permeates this thesis and underpins the analysis of the compliance of Brazilian mainstream social policies with treaties, covenants and conventions addressed to protect indigenous peoples' rights. This viewpoint is rooted in the concept of the right to development in which development policies and human rights are intertwined (Hamm, 2001, p. 1005, Gilbert, 2007, p. 207). The human rights approach to development of which the United Nations Development Programme has been the promoter since the publication of the Human Development Report 2000, integrates holistic views of development in consistency with human rights standards (Hamm, 2001, p. 1010). From this perspective, human development may be understood as the enhancement of different capabilities with the concept of basic freedoms (Hamm, 2001, p. 1010). Therefore, an examination of the evolution of the indigenous rights framework aims to understand the commitments and obligations of multi-ethnic states to engage with indigeneity.

Defining indigeneity may be deemed a starting point to comprehend the different dimensions of indigenous rights. The attempts to draw a line between indigenous and other minority groups have been at the core of human rights debates. The concept of indigeneity is associated with common and specific predicaments experienced by ethnic and racialised groups worldwide, and to the political responses that disregard their specific needs (Marschke et al., 2008, p. 485). Conceptualisation of indigeneity rooted in histories of "state-sponsored genocide, forced settlement, relocation, political marginalisation, and cultural destruction" is also endorsed by authors, such as Niezen (2003, p. 5). Thornberry (2002, pp. 37, 38) referred to the main characteristics that distinguish indigenous people from other minorities groups such as association to ancestral territory, their status of original or first inhabitants, the communal structure in which their societies are underpinned, and by holding distinctive cultural patterns which do not reflect the same pattern exhibited by the dominant society. Above all, indigeneity holds a strong sense of identity that has challenged the "monocultural constitutional order of settler societies" (Maaka & Fleras, 2005, p. 28). Given the manifold concepts

in which the term is lodged, indigeneity may be summarised as a remarkable resistance against pressures such as assimilation and discrimination, of ethnic groups engaged in transcending a post-colonial constitutional order to ensure a new arrangement that restore their suppressed rights, by forging a new social contract (Maaka & Fleras, 2005, pp. 54, 55).

Establishing priorities and strategies for exercising indigenous rights to development take into consideration a different and more participative democratic culture, in which states and indigenous peoples and their advocacy may build a new relationship for the pursuit and achievement of their rights (Maaka & Fleras, 2005, p. 43). An indigenous rights framework should take into account the ambivalence of the discourse on social inclusion and the role of mainstream development policies. The concept of ethnodevelopment highlights the distinctiveness of indigenous rights by counterpointing universalism as an all-encompassing principle to foster socially-inclusive development in multicultural countries. Basically, the principles of ethnodevelopment are rooted in distinctive development based on indigenous worldviews, cultural values and the autonomous capacity of culturally-differentiated societies to control their own processes of change, as a means to overcome poverty and social disintegration (Partridge et al., 1996, p. 5, Davis et al., 2004, p. 11). The engagement of organised indigenous movements in domestic and transnational development networks has been deemed crucial to shape understandings of culturally adequate forms of development (Laurie et al., 2005, p. 472). Moreover, the relevance of these networks to create sites for debating a “development-with-identity” that is sensitive to indigenous peoples’ needs, has been emphasised (Laurie et al., 2005, p. 472).

However, the complexities in adopting indigenous rights as a frame of reference for development have been highlighted by authors, such as Laurie et al. (2005, p. 474), who contested the power relations involved in emerging notions of ethnodevelopment. From this perspective, development practices, very often assigned as promoters of social, economic and political transformation, may be resulting in (or perpetuating) patterns of discrimination and inequalities based on ethnicity. By giving little attention to worldviews, cultural values and the needs of the people that have supposedly been developed, universal principles imbued in welfare policies may be generating a subaltern development, in which disregard for indigenous rights are subsuming

indigenous communities into a condition of silent invisibility. This thesis explores the concept of subalternity by examining the asymmetries between urban indigenous communities and non-indigenous societies, despite the positive outcomes achieved by the current Brazilian social development agenda as a potential result of an exclusionary pattern in development in practice.

1.5 Methodology

Based on a literature review, this study is centred on two primary sources: publications on indigenous development and rights, and Brazilian government publications, such as the Demographic Census, as well as responses from government offices to specific queries. As a starting point, the global instruments on human rights have been analysed with a special focus on indigenous peoples under international covenants, conventions and declarations. The ambiguous discourses of indigenous peoples and development were also assessed to explore the dynamics of the emergence of indigenous voices in the human rights canon.

In addition, official reports and statistics were scrutinised to delineate the living condition of urban indigenous communities in Brazil. Complementarily, public information was made available by government offices, and further consultation was conducted with official agencies where I requested specific information and data. Consultation concerning public information in Brazil is regulated by the Brazilian Act N^o 12.527/2011, which specifically refers to the constitutional right of Brazilian citizens to have their questions regarding programs, policies and actions answered under the responsibility of a public agency. In light of this legislation, I submitted queries to government offices overseeing the mainstream welfare policies framework, as follows:

- Policies of Health: Special Secretariat for Indigenous Health of the Ministry of Health;
- Policies of Education: Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira – INEP, subordinated to the Ministry of Education;
- Policies of Housing: National Department of Housing of the Ministry of Cities; and

- Policies of Conditional Cash Transfer: Citizen Information Service – CIS Ombudsman of the Ministry of Social Development.

The above-mentioned queries were aimed at providing official evidence of features and outcomes of welfare policies for health, education, housing and cash transfer provision, and encompassed questions about specific features and outcomes related to the mainstream policies and programs of central government social agenda. Information concerning the urban indigenous peoples benefiting from each initiative, action, project and policy was specifically requested. Relevant government information served to fill gaps identified in the literature examined, to obtain data not available in official statistics and to affirm the main findings of this study.

Secondary sources were also used, including publications in the mass media, such as newspaper, newswire and magazines. Finally, some investigative research related to urban development policies has been undertaken. This analysis aimed at assessing how and to what degree the shifts occurred in the last decades could be derived from changes that have occurred in development, namely to improve human development as a goal, by means of eradicating poverty and ensuring the human rights of the most disadvantaged people. Oppositions and commonalities in human development policies adopted in other countries, in compliance with indigenous rights framework, have been also analysed, and the comparison between different contexts entailed a constructive assessment of indigenous rights approaches in development, which in turn influenced the conclusions and recommendations proposed in Chapter 5.

1.6 Thesis outline

Overall, by applying a rights-based framework this thesis focuses on concerns with the social development of urban indigenous peoples in Brazil, and is divided into five chapters. This first Chapter presents a summary of the context in which the research aims and questions are grounded, the reasons for my choice of topic, and briefly delineates the problem statements. This Chapter also introduces an overview of the theoretical approach and methodology, concluding with an outline of the thesis.

Chapter 2 places this study in the theoretical framework and describes the position of human rights as an approach to development. In this Chapter, the indigenous rights framework is emphasised to explain the significance of these rights in the streaming concept of human rights approaches to development. This section also debates the emergence of indigenous organisations and indigenous advocacy in the context of enhancing indigenous rights as an approach to a distinct development, or in other words, ethnodevelopment. The concepts of ethnodevelopment and subaltern indigenous development are also explored as outcomes derived from the indigenous rights approach to development.

Chapter 3 illustrates Brazil's background, emphasising particular features of its demographic formation. Explanations about the impact of the social and spatial occupation of urban land as a factor that deepens inequality are also presented. A brief historical overview of urban development regulation in accordance with the political agenda in Brazil is provided to contextualise the hardships undergone by the Brazilian urban poor. Additionally, this Chapter introduces indigenous peoples as distinctive Brazilian citizens, narrating their experience of living together in a settler society. This chapter concludes with a description of how the Brazilian legal system has thus far addressed the protection and rights of indigenous peoples.

Chapter 4 highlights and examines the key issues identified in this study. This Chapter refers to the presence of indigenous peoples in Brazilian cities and presents two case studies that encompass the experience of distinct indigenous groups living in different Brazilian urban regions. Additionally, the purpose of this Chapter is to present the findings related to the outcomes of the mainstream welfare policies framework in reaching urban indigenous communities, as well as the engagement of Brazilian policy-makers with ethnodevelopment policies.

Chapter 5 discusses the key findings of this thesis. Core issues are examined in the conclusions and provide the basis for addressing recommendations. Finally, concluding remarks and thoughts close this Chapter.

Chapter 2

The right to indigenous inclusion in development

2.1 Introduction

In this Chapter, the concept of human rights as an approach to development, put forward by the United Nations as a new stream of thinking, is explored from the perspective of an indigenous rights framework. The premise is that the realisation of human rights should be the main objective of development (Stavenhagen, 2009b, p. 368). As such, endogenous development would be intrinsically grounded in the relationship between the right holders and duty bearers, in a process of political empowerment predicated on the strengthening of indigenous peoples' ability to organise and fulfil their collective needs (Stavenhagen, 2009b, p. 368). The broad context of indigenous rights, however, is limited to urbanisation and the effects for indigenous communities, and the challenge faced by policy planners to provide distinctive policies to these groups, ensuring that their specific rights and freedoms set forth in the indigenous rights framework can be fully realised.

Firstly, urbanisation and the impoverishment of indigenous groups are introduced as challenging factors that confront the reductionism of development discourse. It is observed that, despite manifold experiences, indigenous urban migrants have to cope with exclusion derived not only from a lack of skills which would enable them to participate in the market, but also because urban indigenous communities' principles of development are embedded in unconventional epistemic views. The first section of this Chapter argues that tensions resulting from the resilience and resistance to mainstream development of indigenous people exacerbate inequalities. The literature suggests that the urban indigenous future has a receding horizon in which poverty, discrimination and

exclusion are mushrooming (Muedin, 2007, cited in UNHabitat, 2010, p. 9). The lack of solutions to handle with increasingly exclusionary development is regarded as entangled with indigenous rights, or more specifically with the denial of rights.

The second section of this Chapter presents an overview of indigenous rights debates and discusses the long-term struggle to set indigenous people free from colonial subjugation and to grant them a viable future. This section also identifies obstacles to the removal of discriminatory barriers which would otherwise ensure that urban indigenous communities were able to participate fully in a multicultural society. In addition, this section studies the emergence of indigenous organisations and advocacy in their favour, ascribed by Marti i Puig (2010, p. 76, 77) as a result of alliances produced by outsiders who provide material and institutional support, as well as political opportunities and empowerment to indigenous movements. Some indigenous networks are regarded as having positive outcomes brought about by the growing mobilisation of the indigenous population and the fact that they are vindicating their legitimate rights and demanding for ethnodevelopment policies, or policies concerning identity. This second section also points out that the configuration of this network is primarily orientated to function on an international level rather than a national one, by addressing commonalities of indigenous distress worldwide, such as the preservation of indigenous lands and territories, respect to traditional customs, social organisation and indigenous epistemologies. This section advocates that, albeit the gains achieved by the growing prominence of indigenous networks and movements, endogenous indigenous development gives rise to concerns about a subaltern discourse conveyed by coalitions and indigenous lobbying at local level.

The concept of ethnodevelopment policies is discussed in the third section, and will be presented as a distinctive form of development that is intertwined with indigenous rights. This section refers to the scepticism surrounding genuine ethnodevelopment policies felt by post-development writers who postulate that indigenous minorities are still subjugated by Western development. In view of this, this section also analyses the viewpoint of post-development authors who have posited that the voices speaking up on this issue do not represent a native mind-set but rather that of old power structures whose interpretation is limited by the subjectivity of their own perspectives, thus distorting indigenous aspirations for development. Finally, a summary is presented,

reflecting on the theoretical framework of indigenous rights and on how these concepts will be dealt with in the ensuing chapters.

2.2 Indigenous urban drift: the human rights situation and living conditions in urban areas

Despite not being a recent phenomenon, the presence of indigenous people in urban settings has represented a real challenge to policy makers who have been under pressure to look more closely at the distinctive demographic tissue underlying urban growth, and to adopt a pre-emptive approach to accommodate urban social composition. According to UN reports on indigenous migration (IOM, 2008, p. 25, UN Habitat, 2010, p. 7), recent indigenous urban drift has been intrinsically fostered by opportunities envisaged in urban areas. Reports (UN Habitat, 2010, p. 11) on urbanisation trends showed that about forty per cent of the global indigenous population are currently living in cities, and in countries such as Australia, Canada, Chile, New Zealand, and in the United States of America the indigenous urban population has exceeded fifty per cent (IOM, 2008, p. 25, 26). Despite being increasingly evident, impacts of urbanisation on indigenous peoples' livelihoods have not been accurately addressed due to a range of factors, which vary from the lack of disaggregated statistical data to an unconcealed disregard for indigenous cultures (Muedin, 2007, cited in UNHabitat, 2010, p. 9).

It is believed that a common cause of distress to urban indigenous communities is the fact that, on leaving their traditional territories, migrants relinquish their indigeneity. This, however, is a non-indigenous misconception (Paradies, 2006, p. 357). There is a flawed dichotomy of rural and urban indigenous peoples based on the stereotype that genuine indigeneity can only be found in remote villages situated in the jungle or in distant rural settings (Gegeo, 2001, p. 494). According to this perception, shifts in indigenous livelihood to accommodate a new urban reality lead to presumed identity loss (Gegeo, 2001, p. 495, Paradies, 2006, p. 357). This belief has justified a pressure to impose practices of assimilation on urban indigenous groups by integrating them into the national society (Langveldt & Smallacombe, 2007, cited in UN Habitat, 2010, p. 10). Attachment to ancestral land, despite living in an urban setting, has been a complex matter, in particular because the right to collective occupied land is at the forefront of

indigenous rights claims and is conventionally defined as intertwined with the “raison d’être” of indigenous peoples.

Langveldt and Smallacombe (2007, cited in UN Habitat, 2010, p. 10) referred to the relationship of indigenous peoples with their ancestral land as a lingering, genuine and unbroken attachment that persists despite migration. Some views on this are rather short-sighted, such as Anaya’s assertion (1996, cited in Niezen, 2003, p. 20) that the complexities surrounding definitions of indigenous peoples must take into account the deep attachment that they have to traditional lands. Such assumptions have made it difficult to disentangle the concept of indigeneity from the occupation of traditional territories as if both were inextricably linked (Niezen, 2003, p. 5; Maaka & Fleras, 2005, p. 48). This narrow-minded definition of indigeneity is common and may prove detrimental to groups who do not fit into this framework of norms, such as the migrant urban indigenous communities, whose migration could be a result of nomadic customs, displacement or encroachment by non-indigenous urbanisation.

Thornberry (2002, p. 60) advised that stances on definitions of identity and ethnicity are complex since they can lead to unrealistic matters of human rights. This can be illustrated by non-indigenous societies questioning the legitimacy of migrant indigenous identity, thus restricting the scope of indigeneity. Thornberry (2002, p. 60) also stated that the devices used by states to define indigeneity may be seen as attempts to withdraw the “inherent right to be”. Typically, definitions of identity through standards as being “mix-blood”, “band members” and “indios emergentes” have not only induced segregatory policies based on the “blood quantum” but also have stimulated discrimination and assimilationist practices (Lawrence, 2004, cited by IOM, 2008, p. 51). These devices, performed by oppressive government policies, are pervasive to indigenous issues, and have been identified as one of the root causes of lost indigenous identity (Lawrence, 2004, cited by IOM, 2008, p. 51).

Notwithstanding, given that attachments to land are deeply embedded in indigenous identity, the factors underlying urban migration must be analysed as well as the causal effects of the drift experience. Studies have recognised that the reasons for and nature of indigenous urban drift are manifold and overlapping (Del Popolo, 2007, Kipuri, 2007, cited in UNHabitat, 2010, p. 16). Very commonly, rural-urban indigenous drift is associated with the deterioration of indigenous traditional livelihoods prompted

ordinarily by the expansion and implementation of development projects of “national interest” (Barelli, 2012, p. 2). The potential of cities for improving people’s lives, however, is also very attractive to indigenous peoples as it offers them hope of economic development and opportunities. Urban centres, especially major metropolitan cities, have propelled indigenous migration worldwide (IOM, 2008, p. 24). Above all, indigenous urban drift is predominantly generated by the outcomes of the conflict between push and pull factors, such as people experiencing chronic deprivation in their traditional territories and, on the other hand, the allure of the urban centre where basic needs such as education, health and employment opportunities, among others, seem to be abundantly provided.

In spite of urban centres concentrating their services and offering better access to health, education, basic infrastructure, political participation and opportunities, inequality in cities is more profoundly ingrained than in rural settlements. The current concentration of poverty and social disruption in cities, especially in developing countries, has represented a challenging matter for policy-planners worldwide (UNHabitat, 2010, p. 1). Not surprisingly, migrant urban indigenous communities are among the most vulnerable groups. The living conditions of indigenous peoples in urban areas, a topic which calls for greater consideration, will be discussed in the next section.

2.2.1 The Impact of urban drift on indigenous livelihoods

More than any other group living in poverty indigenous peoples are susceptible to discrimination and marginalisation, largely due to their lifestyles and the negatives reinforced by stereotypes about indigeneity (Patrinos, 2000, p. 9). Along with other hardships, such as lack of skills and knowledge related to urban living, language barriers, lack of formal education, and different cultural practices and lifestyles, indigenous communities experience weakened economic and social conditions. As a result, they have been assigned to the fringes of society (IOM, 2008, p. 24). Indeed, in developing countries poverty, begging and homelessness is a reality, and groups other than indigenous ones also bear a heavy burden of distress. However, minorities, such as indigenous peoples, are more vulnerable to discrimination for the simple reason that integration is largely complicated by the lack of compatibility of their skills with the

other non-indigenous urbanites (Patrinos, 2000, p. 9). The consequences of being exposed to constant jeopardy have been reflected in the few studies and statistical data that have reported that indigenous migrants have hidden their identities and even cut ties with their own culture, family and communities, “as a safety measure” (UN Habitat, 2010, p. 21).

According to Hall and Patrinos (2006, p. 3), despite increased global attention on this issue, spearheaded by the International Decade of the World’s Indigenous Peoples, proclaimed by the United Nations, few improvements have been made in terms of shifting the main social indicators of urban indigenous communities. Moreover, the modest gains made in poverty reduction among indigenous peoples are occurring at a slower pace and to a lesser extent than for the non-indigenous poor in a pattern followed by several multi-ethnic groups (Hall and Patrinos, 2006, p. 3). The authors argued that, in general, social indicators revealed persistent disparities in the rates of inequality and national poverty. Governments’ assessment of the factors associated with poverty very often overlooks indigenous particularities. Instead, analysis is focused on the overall population living in poverty, without a distinction being made.

As a consequence, the indigenous poverty gap has widened even although the national poverty rate has been reduced during the last twenty years. Evidence can be found in the health and education sectors, and by comparing relative incomes (Hall & Patrinos, 2006, pp. 5, 6, 7). Few indigenous tailored programs have been developed in health and education, and their effectiveness was not duly assessed, nor their limited coverage (Hall & Patrinos, 2006, pp. 5, 6, 7). Although innovations in social protection policies for poor people have been successfully implemented, they have not reached indigenous peoples in equal proportion. In other words, statistics have demonstrated that indigenous peoples continue to hold fewer years of education, have less access to basic health services and no effective choice in influencing the services they receive.

In conclusion, indigenous drift to urban areas has run parallel with a rise in exclusion patterns “across all sectors of society”, resulting in several forms of intolerance such as discrimination and xenophobia, and in the deepening of poverty rates (UN Habitat, 2010, p. 24). This includes institutional discrimination through government policies which greatly enhance indigenous distress, based on “their migratory status” and also on their “indigenous background” (IOM, 2008, p. 31). Regardless of all the mechanisms in

place through conventions and declarations to address ongoing inequalities faced by indigenous peoples, the benefits of policies, programs and practices which take into account heterogeneity and cultural diversity, have not been enjoyed by indigenous groups (Stavenhagen, 2011, p. 421). Indeed, indigenous grievances in urban environments are often overlooked by local and governmental authorities, and through merging them with other groups they have become almost invisible in poverty statistics.

Furthermore, human rights of urban indigenous migrants are very often compromised by dissensions related to the universality of rights. Niezen (2003, p. 120) referred to incompatible foundational principles that divide Western intellectual development conceptions, related to the notion of equality. According to Niezen (2003, p. 120), basic tenets of equality, such as the concept of progress based on human differences, from a Western liberal perspective, are incompatible, since protection of oppressed groups within states is not always in harmony with the systems of human governance. Inadequate access to basic healthcare and education, as well as provision of services that are sensitive to cultural expressions and needs, are just a few examples of the conditions that impose heavy cultural costs upon indigenous dignity and life. This exclusionary perspective on development reflects a blatant lack of accountability to ensure indigenous rights. Despite there being mechanisms in place through national and supranational ratified conventions, declarations and legislation, greater accountability of governments and states to address the on-going unequal treatment and invisibility of urban indigenous communities is needed. The following section will explore the ambiguous discourse around indigenous rights frameworks and contentions regarding how to overcome the recurrent violation of urban indigenous groups' rights.

2.3 Indigenous rights within human rights approaches to development

Despite being interdependent issues, Hamm (2001, p. 1009) argued that the concerns with human rights approaches to development have led to a reductionist discourse and perception of development as a quasi-linear progress. This reductionism is reflected in negative outcomes of development, such as the growing gap between indigenous and non-indigenous societies, despite the human rights framework having achieved increasing prominence within development discourse over the years. The framework

implies that the long lasting culture of colonisation, including its modern features, and colonisers' view of progress have disrupted the integrity of the natural systems of non-Western cultures, degrading their customary resources and blemishing their ancestral heritage with notions of racism and backwardness (Slater, 1993, pp. 420, 421). Moreover, Western concepts of development have restrained indigenous rights to determine their political status and to undertake their social, cultural and economic development (Thornberry, 2002. p. 95). Having said this, overcoming decolonisation has meant more than reinvigorating general elements of indigenous culture, such as their arts, their worldview and spirituality, their traditional knowledge and essentially their voices. It has entailed the transcendence of the highest expression of the colonial system, namely racism, subjugation, impoverishment and underdevelopment, the latter engendered and fuelled by modern discourse (McMichael, 2008, p. 38). The extent of disadvantage experienced by indigenous peoples when compared with the non-indigenous population calls for a reorientation of human rights debates and perspectives on development policy. Therefore, the challenge to improve conditions for indigenous groups entails accepting legal obligations embedded in a human rights approach to development. An overview of indigenous rights discussions and construction will follow.

2.3.1 The development of conceptual and legal frameworks of indigenous rights

Questions around dismantling colonialism have been present in human rights debates since the conception of the Universal Declaration of Human Rights, in which the right to self-determination was expressed by vague principles that resulted in diverse interpretations (Thornberry, 2002, p. 92). The aim of the Universal Declaration of Human Rights was to set free subjugated people trapped in colonial assumptions of progress and development by reaffirming human rights to all without distinction (Freeman, 1995, p. 25). Accordingly, equality, freedom, life, liberty, citizenship, among other essential rights should be assured through this supranational declaration (Freeman, 1995, p. 27). However, the premises in which the Universal Declaration was grounded have presumed a Western perspective, which evidently differs from many indigenous viewpoints.

Overall, the Universal Declaration did not address all potential holders of the rights, in spite of the diverse categories, groups and organisations that struggled to include specific approaches (Niezen, 2003, p. 97). Notwithstanding, it was also observed by authors such as Niezen (2003, pp. 96, 97) that indigenous references in the UN Declaration of Human Rights were fraught with ambiguities and sensitiveness. Thornberry (2002, p. 100) asserted that subjacent remarks, omissions and an absence of clear statements about specific indigenous rights were intentional. In fact, positions such as those registered in notes in the Universal Declaration's draft were aligned with mainstream modern thought. The reasons for this adopted stance were twofold. Firstly, representatives of multicultural states avoided addressing this issue due to domestic policies of assimilation (Morsink, 1999, cited in Thornberry, 2002, p. 100). Secondly, Thornberry (2002, p. 99, 100) argued that it is particularly significant that underlying the mainstream discourse, references in the drafting processes noted that in some parts of the world indigenous peoples had almost been extinguished and/or assimilation policies had been largely deployed. In fact, the harsh historical realities that enforced the conviction that tribal societies would be unable to survive as an inevitable outcome of colonial expansion are still very alive (Bodley, 2008, p. 254).

Notwithstanding, the moral commitment to development and international solidarity expressed in the Universal Declaration of Human Rights, as well as the role of this commitment in shaping post-war international policies and relations cannot be denied. Ideals of the so-called first generation rights, namely political rights and civil liberties enmeshed nations, cultures and races (Hamm, 2001, p. 1006). However, if the language of the rational, the decolonising, the democratic and the universal was broadly disseminated in the Declaration text, why then have indigenous peoples not recognised their rights on an instrument adopted by the world community? Authors such as Maaka and Fleras (2005, pp. 48, 49) posited that in spite of affecting human rights as a whole, the Universal Declaration was conceived in a Western context, and as such the concept of human rights was "culture-free and race-neutral". Indeed, at the core of an indigenous perspective is that the destruction of several cultures, as well as centuries of deprivation and marginalisation, was not addressed by the premises of the original Universal Declaration (Thornberry, 2002, p. 93). How could indigenous peoples accommodate their needs, or not, under such a "liberating" instrument without bringing to political debate the reasons for their destitution (Niezen, 2003, pp. 96, 97)? In view of

this, could a persistent inequality be addressed without scrutinising the colonial and the underdevelopment legacy? From this perspective, no global strategies could be charted without firstly confronting the tensions rooted in colonialism and modern development models.

The UN covenants and declarations related to indigenous rights that follows the Universal Declaration of Human Rights, ratified by states worldwide, have become part of the mainstream human development discussion. Hamm (2001, p. 1006) argued that, in the context of minorities, this framework has particularly embodied the second-generation of rights, regarded as economic, social and cultural rights. Effectively, the claims of indigenous peoples for endorsement of distinctive inalienable collective entitlements, along with a corresponding recognition of their right to self-determination by “transcending the subaltern concerns of multicultural minorities” (Fleras and Elliot, 1991, cited in Maaka & Fleras, 2005, p. 32) were envisaged by the ILO Conventions N^o 107 and N^o 169 on Indigenous and Tribal Populations. The ILO Convention N^o 107 addressed significant issues in terms of indigenous rights, particularly in themes such as lands rights provision, and indigenous populations as collective groups (Anaya, 2004, p. 23). The ILO Convention N^o 169 was still more assertive about these matters, underscoring indigenous distinctiveness and bringing out the issue of the indigenous right to self-determination.

A revision of the ILO Convention N^o 107, the ILO Convention N^o 169, recognises indigenous aspirations to exercise control over their institutions, way of life and economic development within the countries where they live, as well as advances in overcoming the philosophy of assimilation underlying the previous convention (Anaya, 2004, p. 23). Upon these premises, the ILO Convention N^o 169 includes provisions to enhance indigenous cultural integrity and non-discrimination, intimating that states must respect indigenous aspirations in decisions that affect them (Anaya, 2004, p. 23). Also ascribed to the Convention N^o 169 is the legal base that influenced the proliferation of indigenous social movements, enhancing their position as political actors and custodians of their rights (Stavenhagen, 2011, p. 418). From this perspective, in the matter of improving instrumentality of special protection and affirmation of indigenous cultural integrity, the ILO Conventions established a strong foundation of the hard law of international indigenous rights (Anaya, 2004, p. 14). In fact, the ILO

Conventions paved the way for a more comprehensive framework of indigenous peoples' rights, the UN Declaration on the Rights of Indigenous Peoples (Barelli, 2009, p. 959).

The UN Declaration on the Rights of Indigenous Peoples (UNDRIP), approved in September 2007, does not epitomise an original set of rights disregarded by the Universal Declaration and other subsequent instruments. Neither has this declaration introduced an unprecedented discourse which clashes with the state's monopoly of power. However, the UNDRIP enforces the gaps remaining between a constitutional order built on colonial structures and a new legal framework established in partnership with multicultural states and indigenous peoples (Maaka & Fleras, 2005, pp. 26, 27). Despite not being a binding legal instrument the UNDRIP has been seen as a step forward to assure an adequate level of protection, "a more specific framework that encompasses more distinctively indigenous peoples' claims" (Gilbert, 2007, p. 211).

Nevertheless, the framework of conventions and legislations addressing indigenous rights is still far from being satisfactory, albeit having represented enormous progress in a few decades. Despite the UNDRIP being considered a "map of action for human rights policies" (Stavenhagen, 2009a, p. 4), which should be undertaken by governments, the deficit undergone by indigenous peoples remains a reality. Decolonisation, according to this assumption, would lie in the indigenous aspiration for a relationship based on a new political arrangement in which indigenous peoples are not citizens subjected to a government authority, entailing a new social contract or, in other words, a "nation-to-nation arrangement" in a post-colonial experiment (Maaka & Fleras, 2005, p. 28, 47). Whereas the UNDRIP gave rise to great expectations in building a multicultural citizenship, the complexities inherent in reconciling governments and constitutional authority with politics of indigeneity have raised questions about the consistency and feasibility of this instrument.

In conclusion, the UNDRIP has reflected evolving approaches in human rights discourses, since it embodies a non-western framework of collective rights. However, indigenous rights, to a larger extent, depend on states' actions and their intent to engage with constitutional reforms to lodge indigeneity, or as defined by Maaka and Fleras (2005, p. 28), to promote the "indigenising of the constitution". Effectively, the relations between indigenous peoples and states have shifted, but not to the extent that

we yet have an indigenous rights framework reflected in development policies. Especially in the case of potentially oppressed groups within states, such as ethnic communities, a human rights approach to development needs supporters and advocates (Hamm, 2001, p. 1027). The recognition by the states that the realisation of human rights should become the aim of development policy implies that all duty-bearers become accountable for the adoption of the framework of human rights as the starting point and as a legal obligation (Hamm, 2001, p. 1031). Besides, human rights activists and development NGOs focused on the empowerment and self-determination of the people concerned, at national and supranational levels, may enforce their lobbying and monitoring as promoters of this approach (Hamm, 2001, p. 1027). In this context, the connections between the widening debate about rights and the worldwide emergence of social and political movements are evident. The next section discusses how indigenous peoples have moved away from their state of invisibility to become actors on the national and supranational stage and to pursue a political voice and participate in distinctive development.

2.3.2 Emergence of indigenous organisations and indigenous advocacy

The increasing emergence of indigenous organisations has stimulated new ways of dealing with public matters, and has also displaced the ethnic collective movements to major urban centres (Dani & Han, 2008, p. 17, Marti i Puig, 2010, p. 76). As a consequence, the opportunities afforded by the emerging ability of indigenous people to coalesce into a common agenda have resulted in more accountability of government and states for their obligations under international law, State Constitutions and UN Conventions (Niezen, 2003, p. 45). Initially mobilised around socioeconomic demands aiming to address urgent needs, indigenous movements have confronted issues relating to identity. Moreover, these social movements have developed connections with international networks, and are gradually making progress in impacting on national political life (Marti i Puig, 2010, p. 85).

Castells (2008, pp. 85, 87) argued that a nation state's inability to confront and manage globalisation processes has led to the enhancement of social movements, such as indigenous movements, which connected with global networks and were enabled to

redefine “the socio-political landscape of the world”. Authors such as Stavenhagen (2011, p. 2), and Bellier and Préaud (2012, p. 484) attested that, albeit confronting resistance from conservative forces in multi-ethnic states, indigenous peoples generally have not only become more visible in the sense of claiming their rights, but they are also on the way to playing a major political role. Indeed, transnational networks and non-profit organisations of the tertiary sector have promoted an “interaction of a wide variety of actors” (Vallès, 2001, cited in Marti i Puig, 2010, p. 76), endorsing the resurgence of indigenous cultural renewal and repositioning the “discursive framework of ethnicity” (Maaka & Fleras, 2005, pp. 70, 95). These factors are linked to the international instruments and fora for indigenous rights protection, ratified by the international community.

However, the transition from long-lasting practices of explicit colonialism to the emergence of a new framework for co-existence has neither been accomplished nor even been assured. Indigenous peoples have been confronted with this provisional context and have been challenged in their traditional struggles with respect to a growing recognition of being legitimate “subjects of international law, with collective rights and political agendas” (Office of the High Commissioner for Human Rights, 2002, cited in Maaka & Fleras, 2005, p. 25). This context can explain, for instance, the different scope of emerging organisations which vary from those with tribal connections to those who pursue the right to live in accordance with mainstream citizens. Maaka and Fleras (2005, p. 19) have defined the new movements respectively as those who are “seeking indigenous enclaves” and those who are seeking “societal involvement”.

Furthermore, Marti i Puig (2010, p. 79) referred to the “actors from above” to highlight the presence of distinct actors, activists from international networks of humanitarian-aid NGOs, who embrace the cause of indigenous peoples and have considerable impact on the configuration of indigenous organisations. Marti i Puig (2010, p. 79) argued that the dialectic between indigenous identity and international intervention may be represented by the opportunity to build a solid web of contacts made by coalitions, which may be a crucial step in placing the matter of indigenous peoples’ rights on the national and international agendas. These interferences, however, may result in an undesirable distortion in indigenous aspirations and stances, giving rise to a subaltern deviation of indigenous discourse. The concept of subalternity will be addressed in a later section of

this Chapter. The oppositional tension of these arguments is widening the engagement process and has contributed to a comprehensive framework for the indigenous political agenda.

In sum, indigenous peoples worldwide have organised themselves in transnational networks, influencing domestic law and policies at a national level, and the human rights standard at international level. Stavenhagen (2009a, p. 12) referred to a new concept of “development with identity as part of the human rights perspective”, or in other words, ethnodevelopment. This shift is to a new practice which contemplates participation and empowerment, local resource and social responsibility, and cultures and traditions (Stavenhagen, 2009a, p. 12). Moreover, it suggests critically addressing the icons of nation-states and their longstanding colonial structures of domination to support the long struggle for human rights that worldwide indigenous peoples have been engaged in. Furthermore, ethnodevelopment merges the right to development to indigenous rights, strengthening both, while converging with new concepts of development. The following section explores the intertwined concepts of ethnodevelopment and indigenous rights.

2.4. Ethnodevelopment policies: the indigenous right to development

Although an indigenous presence in urban settings has been exhaustively argued to be a consequence of a searching for better living conditions, little has been written about urban distinctive policies grounded in fundamental rights, or more specifically, ethnodevelopment policies. In fact, the concept of development intertwined with human rights, or even specific rights, is a relatively “new stream of thinking” (Hamm, 2001, p. 1005). Accordingly, the vision of human rights entrenched to achieve sustainable human development was embraced by the United Nations Human Development Report 2000 (UNDP, 2000). Questions of how development planners distinguish a human rights approach to development, and how it can be translated into practice were raised. Regarding this, the response given by governments and states to comply with ratified conventions and declarations has been very often bound to the adoption of ethnodevelopment policies and practices as a measure to address ongoing invisibility and unequal treatment for indigenous peoples (Uquillas, 2004, p. 53). Indeed, the

concept of ethnodevelopment has increasingly been heralded by governments as mainstreaming in actions and policies addressed to indigenous peoples. The question, therefore, is to what extent the purportedly ethnodevelopment policies have succeeded in achieving urban indigenous peoples' legitimate and coveted aspirations and ensured their rights. Ultimately, the concept of ethnodevelopment is pivotal to answer such a question.

According to Partridge et al. (1996, p. 5) ethnodevelopment has been defined as genuine development based on indigenous vision of history, values and goals, in opposition to all forms of racial discrimination, ethnocide and the remnants of colonialism. Moreover, it is regarded as a process controlled by indigenous peoples themselves as a means to overcome poverty and social disintegration (Partridge et al., 1996, p. 5). In this context, the UN Declaration on the Right to Development (UNDRD, 1986), is a reaffirmation of the human rights' value, addressing the need to focus on a holistic approach that considers development and human freedoms as indivisible (Hamm, 2001. p.1010). Aligned with this perspective, a statement from the Overseas Development Institute (ODI) affirmed that "a rights-based approach to development sets the achievement of human rights as an objective of development" (ODI, 1999, cited in Hamm, 2001, p. 1011). Concerning to specific groups, such as indigenous peoples, this affirmation expresses their essential postulations, and translates into practice the framework of legal obligation laid down in international treaties, and ratified by states. In view of this, taking human rights as a frame of reference for development policy is at the core of ethnodevelopment policies. In this context, ethnodevelopment can be expressed as the exercise of substantive freedoms, which can be arguably referred to as actual rights. In view of this, ethnodevelopment may be represented by policies aligned with particular patterns of social organisations and customary means of conducting internal affairs (Ramos et al., 2009, p. 5).

Basically, these policies are better suited to the needs of specific groups than to an institutional framework imposed on them by national societies (Ramos et al., 2009, p. 5). Davis et al. (2004, p. 18) argued that the theory of ethnodevelopment was conceived to oppose orthodox models of development based on economic growth, integration, and cultural assimilation. However, rather than being an antidevelopment stance, ethnodevelopment approaches are consistent with the reengineering of development

from a local construction perspective, on a community level. Over recent decades, discussions about the relevance of indigenous knowledge in development have achieved visibility or, as defined by Briggs (2008, p. 107), have “explicitly emerged in the literature”. However, at the heart of these policies is the potential for a conflict between the compatibility of universality and the lagging behind of states in their indigenous rights obligations.

The settlement of ethnodevelopment policies includes willingness to share by operationalizing a holistic development, and by adapting concepts to establish new paradigms. States’ commitment to ethnodevelopment reflects their legal responsibility for the wellbeing of people. Importantly, state action depends on the familiarity of state agents with human rights standards and systems. Hamm (2001, p. 1023), asserted that policy planners should receive a human rights education, “including the most important treaties and instruments of implementation and monitoring”, as a condition for implementing successful development policies. Ultimately, ethnodevelopment policies may entail creating unequal access to goods and services for a specific disadvantaged group as a step towards building a fairer society. In this regard, Stavenhagen (2009, pp. 368, 369) stated that a clear regulatory framework for ethnodevelopment policies has already been at the disposal of policy planners.

Despite being rooted in rights-based approaches, ethnodevelopment principles still represent an ideal rather than actions in progress in most multi-ethnic nations. In fact, the relationship between indigenous peoples and multicultural states is uneven. Essential achievements of indigenous groups are distinct according to their domestic experiences. The assessment of the causes of and appropriate solutions for indigenous social problems must focus on the policies, stances and accountability of states with ratified international human rights conventions. On a basic level, acknowledging indigenous differences and yet ensuring them inclusive citizenship, by means of service provision and management involving active participation and empowerment of indigenous communities, is the rationale underlying development policies that are sensitive to the needs of ethnic groups (Maaka & Fleras, 2005, p. 43).

However, deconstruction of the current state policies to incorporate indigenous forms of economic and sociocultural organisation calls for more than tackling the ignorance of development policy-makers about indigenous aspirations and rights. This process

demands that long-term assimilationist measures and political patronage be discontinued. Baniwa (2009, p. 6) argued that this shift in behaviour imposes the adoption of a more respectful stance that takes into account indigenous rights to participate in decisions which affect them directly. Notwithstanding, in opposition to ethnodevelopment principles, the geopolitics of development have often embodied Western power, intervening, transforming and holding sway over development strategies for the Third World (Sidaway, 2008, p. 16). Authors such as Brohman (1995, p. 128) have pointed out that ontological, epistemological and methodological distinctiveness between indigenous, scientific and expert Western knowledge has always swung unfavourably to the local and indigenous. Thus, these debates are creating ambiguities and contradictions in the interpretation of indigenous voices (Briggs & Sharp, 2004, p. 666). The concept of subaltern development is embedded in post-development scepticism, implying a reductionist view of culture, by subsuming non-Western knowledge into biased translations to Western concepts and languages (Briggs & Sharp, 2004, p. 664). The following section traces the features of 'subalternity' and the process by which subaltern cultures have been rendered invisible as a result of the reluctance of the outsiders who mould their development process to de-centre themselves.

2.5 Subaltern indigenous development

Postmodern scepticism of development as a global project has led to radical reactions. At the core of these condemnatory stances is the engineering of development structured in power relations, subjugating non-Western peoples and cultures and increasing the gaps of inequality (McMichael, 2008, pp. 25, 26). In fact, development as cultural Westernisation and homogenisation has brought about a hopeless notion of under-development, which is associated with discrimination and subjugation. In this sense, development has undermined Third World societies, belittling them, particularly indigenous groups living in their traditional ways (Esteva, 1992, p. 140). Responses to the failure of formal top-down Western development have varied. Blaikie (2000, pp. 1043, 1044) described some of these critical responses as neopopulist paradigms grounded in the recognition of the relevance of indigenous technical knowledge. Indeed, since the 1980s, interest in indigenous views has increased, as a means of establishing

new development strategies (Briggs & Sharp, 2004, p. 661). According to Escobar (1995b, p. 98), local level constructs and approaches derived from life, history and geography of grassroots, are the conditions for “the remaking of development”. Hence, promoting local level development implies the emergence of voices from marginal peoples, the voices of the poor and dispossessed, and disengagement from the economic logic of mainstream structures of power (Esteva, 1992, p. 151).

However, the ambivalent attitude toward these neopopulist paradigms was highlighted by Spivak (1988, p. 28), who argued that the subaltern cannot speak. According to Spivak (Kock, 1992, p. 44) subaltern as a term does not represent classic oppression but rather comprises the mechanics of post-colonial imperialism that subjugate and discriminate minorities and non-European cultures and knowledge. In this context, non-Western views are still “trivialised and invalidated by Western experts” to the extent that subaltern voices must be translated into the Western language of science (Briggs & Sharp, 2004, p. 664). Moreover, reluctance to accept “the other” as distinct from “the self’s shadow”, has endorsed Western authority and dominance in development debates (Spivak, 1988, p. 24). In addition, Spivak (1988, p. 28) stated that valuing non-Western moral, aesthetic and history, which have been systematically disqualified and belittled as naïve and inadequate, is a precondition to rendering the subaltern visible and audible.

The analysis of urban indigenous development in Brazil by definition assesses to what extent the indigenous rights framework has been incorporated into welfare policies for these populations. However, the way legal systems manifest can be distorted by the power and bias of Western experts and interpreters. A question that permeates this study is to what degree the engagement with urban indigenous groups has promoted a de-centring of Western experience, thus giving the former the possibility of expressing their true self. In view of this, a reflection on the contradictions between the improvement of social indicators heralded by the Brazilian state and the increasing levels of poverty witnessed in urban indigenous communities may disclose that urban indigenous development is vested with a subaltern concept which has rendered them invisible. An analysis of the Brazilian social development policies will be undertaken in the following Chapters to assess to what degree urban indigenous voices have been heard and their needs acknowledged.

2.6 Chapter conclusions

The framework of the migratory experiences of indigenous peoples has been overlooked by nation states due to its being a small scale phenomenon in comparison to migratory trends of other (non-indigenous) more numerous groups (IOM, 2008, p. 9). However, more than any other group, indigenous migrants, especially those resettling in urban settings, demand that states concern themselves with their issues, which have largely been aggravated by the assimilation policies of a non-indigenous society which threatens their survival as distinct communities. Nonetheless, the presence of indigenous groups and individuals in urban centres has increased, despite the continued invisibility of their substandard living conditions, subsumed under migratory movements of peasants from rural areas to urban places, without acknowledging the basic differences between these groups (IOM, 2008, p. 25). This factor heightens the urban indigenous migrant communities' vulnerability and raises the debate about ethnodevelopment policies to ensure distinctive development to indigenous groups whose livelihoods and survival are at stake. Indigenous rights within a human rights approach to development is crucial in development policy to ensure well-being, dignity and freedom from discrimination, injustice and violations of the rule of law, and freedom to develop the human potential of indigenous people and to enable them to participate in decision-making (UNDP, 2000, p. 1). To this end, the notion of an inclusive citizenship, grounded in ethnodevelopment principles, is central if governments are to advance the construction of multicultural diversity and overcome the subaltern voice that may be rendering urban indigenous groups invisible. The next chapter will introduce the specific context of multi-ethnic Brazil.

Chapter 3

Multi-ethnic Brazil and the constraints of the urban indigenous population

3.1 Introduction

This Chapter will focus on the Brazilian context from the perspective of a multi ethnic country. A contextualisation of the indigenous people in terms of demography and distinctiveness will be provided by the presentation of official statistics. The impacts of development and urbanisation on indigenous livelihoods will be addressed in the following sections. Moreover, this Chapter will explore the domestic regulation adopted to ensure legitimate rights of indigenous people in Brazil. This general background on the Brazilian demographic pluralism will play a key role in the analysis of key findings and in answering the research questions addressed by this study.

3.2 General background on Brazil

Large territorial extension and unequal development portray Brazil as a developing country of acute contrasts and diversity. Some contrasts are determined by geographic features, others are social, characterised by the plurality of ethnicities. Brazil's population has originated from Native American, African and European roots, as well as successive waves of immigrants, especially from Asia and Europe. Indeed, as a result of colonisation the Brazilian population is far from uniform. Rather, it is made up of several races, categorised by the Brazilian Institute of Geography and Statistics (IBGE – Instituto Brasileiro de Geografia e Estatística) as white (47.7 per cent), pardos (brown)

(43.2 per cent), black (7.6 per cent), indigenous (0.4 per cent) and yellow (1.1 per cent) (IBGE, 2011b). The ethno-racial classification by skin colour was officially adopted by the IBGE in 1872 (IBGE, 2008, p. 1). Black and brown are respectively used to define the population originating from Africa and mestizos, and yellow identifies the population from Asian countries (IBGE, 2008, p. 3).

Recognition of being one of the largest multi-racial societies in the world has led to an ideology of “Brazilianisation” which has entailed an amalgamation of the races, supposedly implying that there is less racial discrimination in Brazil than any other place in the world (Rout, 1999, p. 367; Skidmore, 2003, p. 1392, Dias Jr. et al, 2010, p. 50). The image of Brazil as a unique system of racial relations living in harmony concealed for a long period a long-standing history of social exclusion and inequality in the distribution of wealth and income. In Brazil, debates over citizenship rights have been greatly fuelled by a monocultural definition of national identity. Some authors argued that the Brazilian social development policies framework has been responsible for unequal growth, which has been associated with the exclusion of some population groups from the process of development (Justino et al., 2004, p. 2; Dias Jr. et al, 2010, p. 51).

There is evidence for the potentially negative effects of inequality shown by significant income disparities of Brazilian inhabitants, which vary dramatically not only across regions but also in urban centres and rural areas (Justino et al., 2004, p. 9). According to the IBGE (2011c) while about half of the Brazilian urban population receives, on average, up to NZ\$ 244.00, in rural areas this figure is equivalent to NZ\$ 100.00.¹ Income disparities can be further accentuated among the Brazilian population identified by skin colour and gender. The 2010 Census showed that monthly income in Brazil, segregated by skin colour, is hierarchically shared as follows: NZ\$ 203.00 for indigenous, NZ\$ 292.00 for pardos (brown), NZ\$ 317.00 for blacks, NZ\$ 585.00 for yellows and NZ\$ 600.00 for whites² (Maggie, 2011). Given that economic asymmetries in Brazil have an important colour and gender dimension, and that this in an equal way encompasses the largest segments of population, it is perhaps the small number of indigenous populations that explains the reluctance of governments to survey them

¹ The original values in Brazilian Real were converted to New Zealand Dollars, which currency exchange rate is equivalent to 1.6924 Real-Brazil = 1.00 Dolar-New Zealand, in 04/01/2013.

² See endnote 1.

adequately to provide reliable statistical analysis (World Bank, 2004, p. xviii; Dias Jr. et al., 2010, p. 51).). Nevertheless, limited information available in the 2010 Census, aligned with proxy indicators, has pointed out that the living conditions of indigenous peoples are among the most precarious among the disadvantaged groups (Dias Jr. et al., 2010, p. 62).

Despite struggling with historically uneven wealth distribution and socio-spatial segregation, Brazil currently holds the position of the sixth largest economy by nominal GDP in the world (IMF, 2012). Contradictorily, even though Brazil has shown relevant economic growth, especially during this last decade, nonetheless, the Gini coefficient in the distribution of household incomes per capita has only slightly shifted from 0.59 in 2000 to 0.51 in 2012 (PNAD, 2009, p. 71) showing a persistent inequality. Since the Gini coefficient measures the degree of concentration in income distribution, ranging from zero (perfect equality) to one (maximum inequality), little variation with only a slight reduction in the scenario of inequality in Brazil has been observed.

Disparities measured by the Gini coefficient have also been verified when comparing income distribution in rural and urban areas, pointing to more precarious living conditions in rural areas. The Gini coefficient in urban areas (0.521) is higher than in rural settings (0.453) (IBGE, 2011c). However, a more equal income distribution does not necessarily mean greater access to resources. In fact, the dissimilarities between rural and urban milieu are far from restricted to the income distribution. Chambers (1995, p. 175) referred to the several dimensions of deprivation that interact with each other, namely “physical weakness, isolation, vulnerability and powerlessness”. Poverty may be thus associated with physical lack, whereas deprivation comprises a much wider range of lack and disadvantages. From this perspective extreme poverty and inequality are more likely to be concentrated in urban than in rural areas (Chambers, 1995, p. 175). The issue has pervaded complex social constraints whose aftermaths have produced deleterious effects, such as rural to urban migration and rapid urbanisation.

3.2.1 The unequal social and spatial occupation of urban land

In Brazil, income discrepancies between metropolitan, non-metropolitan and rural areas can be explained by the rapid urbanisation experienced since the 1930s. The migratory trend contributed to a significant growth of metropolitan regions such as São Paulo, Rio de Janeiro, Belo Horizonte, Porto Alegre and Distrito Federal. Overall, the primary vector for the migration trend is related to the substantially higher incomes in metropolitan centres (PNAD, 2009, p. 71). Indeed, since the 1950s Brazil has experienced an accelerated urban transition, shifting from a rural condition to an urban metropolitan country. In 1950, the Brazilian population comprised 51.9 million inhabitants, almost sixty per cent living in rural areas (Kingston, 1954, p. 71). Concurrently, there were only two cities with a population of over one million inhabitants, namely Rio de Janeiro and São Paulo (Brito, 2006. p. 222). Nowadays, almost two fifths of the Brazilian population live in cities that account for more than one million inhabitants (Martine, & McGranahan, 2010, p. 11).

According to the Brazilian Institute of Geography and Statistics, IBGE, the 2010 census has shown that 84 per cent of the total population are currently living in urban areas (IBGE, 2010). In addition, the combined population of the fifteen metropolitan regions in Brazil is currently 71.7 million, corresponding to 37.25 per cent of the total population (IBGE, 2010). Put briefly, the scale and complex nature of this urbanisation process has escalated problems, such as a housing deficit which has been estimated at 7.9 million dwellings, which means 15 million families are living in precarious conditions (Fernandes, 2007a, p. 178). Currently, eleven million of the Brazilian population are living in slums (shanty towns), which is equivalent to 26.4 per cent of the urban population (IBGE, 2010). By 2020, this number is expected to reach 55 million, which would amount to 25 per cent of the national population (UN-Habitat, 2007, p. 41).

3.2.2 Urbanisation and development: the challenge and the role of the Brazilian government

The growing urbanisation and the chaotic proliferation of informal settlements³ in major Brazilian cities have challenged policy-makers at local and national levels. Addressing the serious obstacles to be overcome, which increase the social insecurity and deepen poverty rates, an urban reform agenda has been discussed by the Brazilian civil society and government (Rolnik, 2009, p. 34). A key matter in the debates is the scale of urban transformation due to population growth, increasing the risks of resource depletion due to an imbalance between fast urbanisation and the provision of basic services. Rapid urbanisation has increased problems around public service delivery, such as health, education and housing provision, which deteriorate social cohesion and even individual rights (UNFPA, 2007, p. 28). In this context, poverty in Brazil is associated with a fast urbanisation associated to a flawed and inequitable income distribution (Paes de Barros et al., 2001, p. 5).

However, citizenship and the legitimate right to access basic essential services cannot be reduced to economic logic, in accordance with principles discussed in Chapter 2. The concepts of quality of life and welfare systems are related to the satisfaction of human needs, which although not the same in all cultures, are akin to the human condition (Vitte, 2010, p. 90). Conversely, Vitte (2010, p. 91) argued that the term ‘quality of life’ has an individualistic character, and government planning has a collective reach given that public policies are designed for groups. Theoretically and legally, the concept of quality of life blends with the right to the city as long as both promote the materialisation of socio-spatial inclusion, sustainable development and the affirmation of a new concept of citizenship (Fernandes, 2007b, p. 204). It should be noted that the right to the city must be understood as a socio-political philosophical value, rather than a legal right (Fernandes, 2007b, p. 204). Therefore, if a wider scope of the quality of life is a goal, it is necessary to link the concept to a broad category of needs which may be met by public policies (Vitte, 2010, p. 91). In this context, citizenship coalesces with human rights approaches to development, as oppositional to reductionist views of development. Welfare systems and quality of life are thus a transcendence of racism, subjugation, impoverishment and underdevelopment engendered by Western development discourse.

³ The term informal settlement is used to refer to many types of housing which lack one or more of the following: durable housing, sufficient living area, access to improved water, access to sanitation and secure tenure. Terms such as slum, shantytown, informal settlement, squatter housing and low-income community are often used interchangeably (UNFPA, 2007, p. 16).

The current Brazilian government has heralded the elimination of poverty as the primary goal of the social agenda (MDS, 2011, p. 5). The first substantive outcomes have suggested an increasing mobility of lower strata groups. However, the rhetoric of upholding basic democratic rights, and promoting greater equality and alleviating poverty must be critically examined, particularly the ways in which minorities' worldviews, such as indigenous, have been included in the development process. To this regard, assessing to what extent the construed development has represented indigenous expansion of choices or may be deemed a participatory democratic process is relevant. The response to this question should encompass evidenced transition of urban indigenous communities in Brazil from invisibility to becoming agents of their aspired development. This evaluation must take into account the state's accountability as regards indigenous rights, such as the emergence of a new framework of ethnodevelopment policies, as mentioned in the Chapter 2. The analysis of indigenous peoples' experience, as well as the politics of development applied to these groups, which are pivotal to understanding their current position in Brazilian society, will be presented in the next section.

3.3 Indigenous people in Brazil

In Brazil, indigenous epistemologies have been ascribed as examples of traditional cultures and practices decontextualized from mainstream development procedure and discussion (Fisher, 1994 p. 221). Indigenous communities are still perceived as exotic cultures, living traditionally, combining horticulture with hunting, fishing and foraging to provide their subsistence (Fisher, 1994 p. 221). Moreover, indigenous demands for health care, opportunities for trade, access to cash, social assistance and services have been noted as limited to the spatial circumscription on the rural land over which an indigenous group exercises restricted control (Fisher, 1994, p. 221). In a biased view, the urbanisation of indigenous groups is deemed an outcome of assimilation and the abdication of their indigeneity (Schwingel, 2004, pp. 4, 5). Therefore, the perception of cultures as living and dynamic processes, resurging renewed through interaction with other cultures has not been acknowledged by Brazilian society (Schwingel, 2004, p. 5). This section describes the impacts of development on the indigenous population using a historical approach. Moreover, it outlines the overall legal framework in which the state

provisions aimed at protecting indigenous peoples, whether in rural or urban settings, are based. This section concludes with a brief analysis of the conceptual perspective of subaltern development as a potential feature of urban indigenous experience in Brazil.

3.3.1 Impact of development on indigenous demography and livelihood

Similarly to other subjected groups, due to the history of conquest, colonisation and dispossession, Brazilian indigenous peoples have been systematically bedevilled by structural discrimination, and by struggles relating to land claims and control of territory and resources. The attempt to colonise and develop the Brazilian hinterland, and in particular the Amazon Basin, has been characterised as one of the most ambitious settlement programs led by governments (Hemming, 1985, p. 4). This project was launched in a region with an arduous environment, in which tribal societies were satisfactorily adapted, but on the other hand were highly vulnerable to violent acculturation processes (Hemming, 1985, p. 4). The integrationist policies deployed by the Brazilian government have imposed on indigenous groups a wide range of constraints (Ribeiro, 2009, p. 498). Accordingly, in the early 1900s alone four out of ten tribes vanished (Ribeiro, 2009, p. 491).

Another restraint experienced by Brazilian indigenous groups has been the pressure to engage in capitalism and trade which has resulted in the mobility of indigenous people towards urban centres where they hoped to find opportunities to earn money. This migration has had negative consequences for ethnic identity, and has also negatively impacted on demographic growth of indigenous people (Ribeiro, 2009, p. 498). The increasing concern with human rights observed in recent decades has granted Brazilian indigenous groups' distress and growing visibility, and mainly has galvanised international debates, which have resulted in an increasing awareness of their living conditions. The 2000 and 2010 Demographic Censuses, which will be explored below, have been pivotal in raising discussions about the rural and urban indigenous population and indigeneity.

3.3.2 The recent situation of Brazilian indigenous people

According to the Census 2010, Brazil has a self-declared indigenous population of 817,963 inhabitants, consisting of 305 ethnicities and 274 different languages, currently representing 0.4 per cent of the Brazilian population (IBGE, 2012b, pp. 54, 90). The demographic distribution of the indigenous population pointed out that 315,180, corresponding to 38.5 per cent, are currently living in urban settings (IBGE, 2012b, p. 63). Although the higher concentration of indigenous population is still located in the Amazon region (27.4 per cent), the 2010 Census confirmed an indigenous presence in 80.5 per cent of Brazilian cities, reflecting a historical exodus from traditional lands (IBGE, 2012b, p.4).

The earlier Demographic Census in 2000, had identified that the annual demographic growth of the indigenous population was 10.8 per cent, especially in Brazilian urban areas in which this rate reached 20.8 per cent (IBGE, 2012b, p. 12). Interestingly, this figure was significantly more elevated than the non-indigenous Brazilian population rate of demographic growth during the same period which was 1.6 per cent (IBGE, 2012b, p. 8). A possible explanation for this atypical trend is that an ethnogenetic process to some extent stimulated self-declaration. The ethnogenetic process can be understood as a phenomenon in which ethnic peoples who had ceased declaring their ethnic identity, reaffirm it under certain circumstances, retrieving relevant aspects of their traditional culture (Luciano, 2006, cited in IBGE, 2012b, p. 4). Some authors argued that indigenous self-declaration was fostered by the benefit of stepping down from invisibility to access public policies and government incentives offered by the mainstream policies of the social agenda (Luciano, 2006, cited in IBGE, 2012b, p. 4). The impact of such a process represented a variation of 150 per cent of indigenous population growth during the period of 1991 to 2000, particularly in urban areas (IBGE, 2012b, p. 8).

The transience of this phenomenon was verified by the 2010 Demographic Census. According to the 2010 Census, in urban areas the growth's annual rate for indigenous population in the period from 2000 to 2010 was 1.1 per cent, the same as that observed of the general Brazilian population. Moreover, despite the expansion in the number of cities where an indigenous presence was verified, paradoxically the absolute number of the urban indigenous population has decreased during the last decade. According to the 2010 Census the decline in urban indigenous population has been observed in most

Brazilian major cities, except in the Northern region, which reported a positive annual urban growth of 2.9 per cent (IBGE, 2012b, p. 12). In particular, the Southwest region, which is the most economic developed Brazilian area, demonstrated a significant reduction in the urban indigenous population (IBGE, 2012b, p. 13). This phenomenon has underpinned theories about a reverse migration trend implying the reshuffling of urban indigenous to their traditional land (IBGE, 2012b, p. 19).

The theories provided by the IBGE analysts concerning this supposed reverse migration are backed by inconclusive evidence (IBGE, 2012b, p. 18). It is important to highlight that methodological shifts were introduced in the 2000 and 2010 Demographic Census in order to characterise minorities with higher accuracy (IBGE, 2012b, p. 18). In light of this, explanations for the variation in numbers of urban indigenous peoples may not reflect current demographic trends. Rather they might be attributed to methodological improvements in the conceptualisation, collection and reporting of census data on Brazilian indigenous people (Perz et al., 2008, p. 14). Thus, the expansion of the urban indigenous population during the 1990s may be justified by the racial-ethnic reclassification. Indeed, the decline in the urban population indicated by the 2010 Census could be ascribed to factors such as discouraging self-declaration or even the effective return to their traditional lands. However, the statistics available are not sufficient to enable definitive assertions to be made.

The shifts promoted by the Brazilian government's social agenda in the 2000s have not particularly addressed indigenous matters. Given its universalist character, the mainstream policies framework counts the poor in terms of quantity rather than adopting a diversity lens. The 2000s have given rise to new approaches in addressing poverty in Brazil. In this context, the Brazilian government has declared that in the past eight years 28 million people were taken out of poverty and 36 million ascended from the low to middle strata (MDS, 2011, p. 5). However, urban indigenous communities have hardly accessed these policies since the conditionalities of urban programs are framed for the poor in general, not taking into account more specific characteristics such as language and education barriers (Cardoso & Gonçalves, 2011, p. 8). Overlooking these drawbacks, characteristics relating to urban indigenous groups may therefore be described as a limitation of policy planners to incorporate the indigenous legal framework into the design of development policies, as pointed out in Chapter 2 (Dias

Júnior et al., 2010, p. 59). The question, therefore, is to what extent an indigenous rights framework may be deemed relevant to hold the government accountable to indigenous needs and aspirations. An assessment of the Brazilian indigenous legal framework showed that improvements are required to attain better outcomes and must be aligned with legitimate indigenous rights. This will be discussed in the following section.

3.3.3 The legal framework: Indigenous people as Brazilian citizens

The Brazilian government and before them, the Portuguese colonists, have never established treaties with indigenous people. The legal system that regulates indigenous relations with the national society is entirely determined by Brazilian national law (Pallemaerts, 1986, p. 377). A controversial matter concerning the Brazilian indigenous legal framework is that indigenous peoples are portrayed in law as totally disempowered people whose status is comparable to orphans. In fact, according to the law, Brazilian indigenous people's tutelage was firstly performed by a Judge of Orphans, during the imperial era, being later transferred to the Indian Protection Service, created in 1910 (Caleffi, 2003, p. 25). Underlying this concept was the positivist assumption that indigenous social transformation and progress (integration in the national society) would make tutelage status transitional (Caleffi, 2003, p. 26).

In 1967, the National Indigenous Foundation (FUNAI) replaced the Indian Protection Service, and the legal regime of tutelage was laid down in 1973, by Law N^o. 6.001, also denominated "Indian Statute" (Pallemaerts, 1986, p. 378). The indigenous juridical situation was thus reaffirmed, as well as the guardianship of the Brazilian state. In view of this, FUNAI currently represents and protects indigenous communities' interests, assuming judicial or extrajudicially the defence of forest-dwellers' rights. Later, the shifts promoted by the Brazilian Constitution enacted in 1988 enabled indigenous peoples, as legitimate Brazilian citizens, to defend their interests in court without being represented by the official tutor. The coexistence of this right with the system of tutelage still in force has entailed divergent judicial interpretations.

The contentions related to indigenous legal autonomy is fuelled by the vulnerable social position of urban indigenous groups, mentioned in Chapter 2, related to the lack of

skills and knowledge associated to city living. Overall, authors such as Pallemmaerts (1986, p. 379) claimed that “state protection” has been unsatisfactory to indigenous communities, and in practice, the guardian’s role has been seen more as an obstacle to the free expression of the ward’s will. This affirmation, however, was only partially fact-based. Indeed, this so called ‘state protection’ is a questionable viewpoint, since the insecurity of urban indigenous groups demands that the Brazilian state plays a more proactive role. Given the indigenous experience of oppression, marginalisation and decimation, the contested tutelage is legally assigned as deferential to reinforcing that their basic rights and dignity should be respected (Silva Filho, 2007 p. 2786). However, a more accurate analysis should distinctively appraise the legal framework and the legal practices adopted. Customarily, FUNAI has acted as a judge between indigenous interest and “national interest”, becoming biased and, for this reason, questionable (Pallemmaerts, 1986, p. 379). Despite being encompassing and protective, the legal framework may not succeed in reaching its primary purposes, as biased interpretations and representations can restrict indigenous rights and thus, tutelage becomes synonymous with new colonialist practice.

Living outside their traditional lands, Brazilian urban indigenous peoples are plunged into a legal hiatus, neither having access to the legal system, which claims to ensure their protection, nor the basic rights granted to every citizen (Ferreira & Pedroso, 2010, p. 37). Urban indigenous population is not perceived by the mass media, nor addressed in the national political agenda of states, and hardly seen by municipalities (Ferreira & Pedroso, 2010, p. 37). Social homogenisation with other marginalised groups and the lack of affirmative public policies mean that it is unlikely that the ethnic-cultural characteristics and specific constitutional rights that allow the self-affirmation of this population will be recognised (Ferreira & Pedroso, 2010, p. 37).

Despite the adverse context, indigenous population has grown in these last decades. Authors such as Perz (2008, p. 8) have posited that the indigenous population has grown not only due to racial-ethnic reclassification but also due to fertility and mortality rates having improved, as well as identity policies having been implemented. Moreover, Perz (2008, p. 10) argued that the expansion of new social movements, such as indigenous movements, have mobilised to overcome social exclusion, or as mentioned in Chapter 2, to become “symbols of resistance” (Escobar, 1995a, pp. 226, 227). To this regard, Perz

et al. (2008, p. 14) asserted that, beyond opening new spaces for expressing indigenous identity, these new indigenous movements are modifying political structures and even legal frameworks which have subjugated them to subaltern development. These are optimistic assumptions to be validated. The extent to which this indigenous resurgence and their voices have been translated into distinct policies, modifying the political options offered to indigenous peoples in Brazil, must be critically scrutinised. From this perspective, an appraisal of the construction of distinctiveness as subaltern and hierarchical, as the ubiquitous state's role, generating different types of violence over non-Western livelihoods may prove determinant in defining current indigenous urban development in Brazil. The next Chapter presents the experience of urban indigenous groups in Brazil, through the analysis of two case studies, investigating the impacts of urbanisation in their livelihoods. The assessment of the access to mainstream welfare policies is also promoted in next Chapter on the lens of urban indigenous communities, to demonstrate the extent to which indigenous rights framework has intertwined with development in Brazil.

Chapter 4

The exclusionary experience of Brazilian urban indigenous people

4.1 Introduction

This Chapter aims at examining the key findings of this desk-based research on access to mainstream welfare policies by urban indigenous communities in Brazil. An overall explanation of the factors that have boosted indigenous urbanisation and the impact of this movement in their livelihoods is provided, as an introduction to the context of urban indigenous groups in Brazil. In addition, the urban indigenous experience will be described in two selected case studies. The first case study refers to the Pankararu migration to the biggest Brazilian city, Sao Paulo, prompted by the displacement of their traditional lands due to constant invasions and the inaction of governments in taking legal steps to remove the invaders and to legitimise their land rights (FUNAI, 2012b). Considered the most urbanised indigenous group in Brazil, due to their long term the long term coexistence with non-indigenous urban society, the Pankararu urban population are still struggling to ensure essential welfare rights. Moreover, living in illegal areas in Sao Paulo, the Pankararu urban people have had their survival threatened by the pressures (and actions) of real estate speculation.

The second case study narrates the distress of another urban indigenous group, the Terena, which depicts a problem rooted in the encroachment of their traditional lands rather than their actual migration. It must be highlighted that, in accordance with the International Organization for Migration (IOM, 2008, p. 24), despite not being considered as a migration process, the transformation of indigenous territories into urban centres as a trend, has been one of the most pressing issues affecting indigenous peoples' livelihoods, as it is known to weaken their economic and social conditions. The

impacts of the development expansion that stimulated the intrusion of non-indigenous settler groups upon the ancestral land of the Terena indigenous people, transforming the indigenous territory from rural to urban, will be explained.

In addition to presenting an analysis of the case studies, this Chapter examines access to mainstream social policies by urban indigenous groups. Accordingly, the framework of policies comprised by the social agenda of the Brazilian government was taken into account. Mainstream welfare policies such as health, education, housing and cash transfers, the latter heralded as the most significant contributor to the mobility of lower income groups, are analysed from the perspective of the benefits of urban indigenous communities. Finally, the government's overall engagement with indigenous rights, recognised as the incorporation of elements of indigeneity into policy formulation, will also be cross-examined.

4.2 Being indigenous and being invisible: the geography of urban exclusion.

Despite being forced to adapt to new social conditions, the urban indigenous groups have been a remarkable example of resistance and persistence in creating mechanisms for recognition of their rights. Although there are more than 200 distinct indigenous groups all over the country, urban indigenous people have endeavoured to fulfil this expectation to make their socio-historical distinctiveness visible (Nakashima & Albuquerque, 2011, p. 195). However, the drawbacks experienced by these urban indigenous communities are far from reaching an end point. Urban indigenous people are still located in the “uneven terrain of invisibility”, compounding the “fourth world of poverty” (Thornberry, 2002, p. 62). The lack of appropriate indicators and data to disclose distinct drawbacks related to an indigenous urban drift and to provide policy planners the conditions to address indigenous matters endorse their condition of being discriminated and neglected. Given this, the human rights instruments and institutions that have tied culture and development, granting ethnic groups full and equal participation in the national community, as discussed in Chapter 2, have had an arguable progress in achieving Brazilian urban indigenous communities.

Indeed, the reality of urban indigenous communities reveals that urbanisation has deepened poverty rather than mitigated it. Overall, urbanisation is embedded in the lives of most Brazilian indigenous groups. All endure the hardships of marginalisation, neglect of their basic rights, and ultimately, the denial of their own indigeneity. The difficulties undergone by these groups are outlined below in two case studies, each of them unveiling a distinct story of deprivation, discrimination and longstanding poverty. The experience of the Pankararu communities in Sao Paulo serves an introductory case in endorsing this postulation.

4.2.1 Struggling to survive: the Pankararu in São Paulo.

One of the most representative examples of urban indigenous experience in Brazil is the Pankararu testimony. In the onset of colonial times, the Pankararu, from the linguistic group of Tupi-Guarani, occupied the hinterlands of the state of Pernambuco, in the Brazilian Northeast region (FUNAI, 2012b). The Pankararu have coped with the intrusion of non-indigenous society in their traditional lands firstly by the Jesuit then by pastoral expansion in the northeast region. Intervention in the form of land demarcation came late, only in 1987, and was implemented to a lesser degree than they aspired to, without the necessary removal of the non-indigenous intruders (FUNAI, 2012b). Before that, in the 1940s, the Pankararu started migrating to Sao Paulo, as a consequence of the recurrent and growing hostility and violence from the increasing non-indigenous population which put pressure on their land (FUNAI, 2012b). Government interventions, such as the building of the Itaparica hydroelectric dam, in 1979, were responsible for the displacement of peasant families who thus joined the intruders on the Pankararu's lands, aggravating the conflicts and indigenous constraints (FUNAI, 2012d).

Currently, the Pankararu population is 12,099, and only 45 per cent still reside in the demarcated lands, according to the Brazilian Institute of Geography and Statistics - IBGE (2012a, pp. 160, 199). The 55 per cent of migrants are dispersed throughout the Brazilian territory (Nakashima & Albuquerque, 2011, p. 197). The largest number of migrant families is concentrated in Sao Paulo, more specifically in the prime and stylish suburb of Morumbi. However, they inhabit an illegitimate area, the Real Parque favela,

in precarious conditions, without permanent jobs and access to basic welfare policies (Nakashima & Albuquerque, 2011, p. 187). Prejudice has induced the Pankararu to hide their identities and to identify themselves as ‘negros’, northeastern or Argentinian indigenous (Nakashima & Albuquerque, 2011, p. 187).

The heaviest burden imposed on the urban Pankararu population, however, derives from having their distinct rights overlooked by governments. According to Nakashima and Albuquerque (2011, p. 184), due to the lack of specific policies addressed at indigenous peoples living outside their traditional lands, the state infers their resignation of legal protection and distinct indigenous rights. Nakashima and Albuquerque (2011, pp. 185, 186) drew attention to a cultural characteristic in the Brazilian non-indigenous society that generalises ethnic elements, despite there being more than 200 distinct indigenous groups all over the country. As a result, urban indigenous peoples have endeavoured to fulfil this expectation to make visible their socio-historical distinctiveness (Nakashima & Albuquerque, 2011, p. 195).

Nevertheless, despite being forced to adapt to new social conditions, the Pankararu have been a remarkable example of resistance and have been successful in creating mechanisms for recognition of their rights. In 1994, the urban Pankararu readopted diacritical elements of their indigeneity, such as practising the “Toré” and “Praiá”, traditional ceremonial dances previously restricted to their ancestral lands, in an effort to foster acknowledgement of their distinctiveness, in opposition to the integrationist view (Nakashima & Albuquerque, 2011, p. 187). Also in the 1990s, the urban Pankararu instigated a process to claim their right to have their indigeneity recognised by government agencies by means of organising the community to express their needs through social movements (Nakashima & Albuquerque, 2011, p. 187).

The emergence of new alliances and establishment of strategic and political ways of reaffirming identity have been determinant in legitimising urban Pankararu indigeneity and supporting their claim to indigenous rights (Nakashima & Albuquerque, 2011, p. 189). Among the indigenous associations established in urban centres, the non-governmental organisation SOS Pankararu Indigenous Community is deemed the most active (Nakashima & Albuquerque, 2011, p. 189). The SOS Pankararu Indigenous Community seeks solutions to the problems faced by the urban indigenous living in slums, such as housing and health. Moreover, this urban indigenous NGO provides

assistance to other ethnic groups living in Sao Paulo, by using identification criteria determined by official agencies (Nakashima & Albuquerque, 2011, p. 195).

The achievements attained by the mobilisation of the urban Pankararu community ensured them the position of the first urban indigenous group to have their indigeneity recognised by Brazilian official agencies, including the National Indigenous Foundation (FUNAI) (Nakashima & Albuquerque, 2011, p. 194). Despite attaining encouraging outcomes, the drawbacks experienced by the urban Pankararu community are far from over. Having settled in a highly valued area, they have undergone the pressure of real estate market speculation. The recurrence of fires in Sao Paulo's slums, amounting to more than 500 in the period from 2008 to 2011, also hit Real Parque, where there is a high population of Pankararu (Ramos, 2010). In September, 2010, a fire in the Real Parque favela displaced approximately 300 affected families, 40 of them comprising urban Pankararu (Ramos, 2010). On that occasion, the Vice President of the SOS Pankararu, Maria Lidia da Silva, stated that government actions addressed at minorities were inappropriate and promises made to the community were not fulfilled (Ramos, 2010). Da Silva also declared that for over twenty years the Pankararu have been requesting an urban land area to relieve them of humiliation and inhumane living conditions (Ramos, 2010).

The struggle of the urban Pankararu community is still ongoing, and their political mobilisation has strengthened due to their alliance with other indigenous movements and the consistency of their demand for social development which is sensitive to indigenous issues. This extended network has opened up opportunities for the recognition of indigenous rights to resources and decision-making power in Brazil. However, Pankararu's activism is the exception rather than the norm among urban indigenous groups. The next case study throws light on the experiences of the Terena's urban groups in another Brazilian city, Campo Grande, and their endeavour to ensure their insertion and adaptation in a social space which curiously used to be their ancestral land.

4.2.2 Displaced and encroached: the Terena stalemate.

In accordance with the 2010 Census, the Terena indigenous people, from the linguistic group of Aruak, is the largest urbanised indigenous group in Brazil, with 9,626 people living outside of their traditional lands (IBGE, 2012a, p. 89). The hardships faced by the Terena groups have not been different from other ethnic groups in Brazil, who have been pressured by economic expansion. Inhabiting central Brazil, the Terena have witnessed the rapid development expansion of the Brazilian state into its remote interior region (Wilcox, 1992, p. 1). From the beginning of the 20th century, hydroelectric dam projects, extensive highway road building, unregulated mining and the destruction of virgin rain forest to pasture have been responsible for an economic development that disregarded environmental degradation and have caused deep disruption to the lives of indigenous peoples (Wilcox, 1992, p. 1). Similarly to other indigenous groups in the Brazilian Midwest, the Terena people underwent the impact of immigration, mainly from settlers in search of new pastures, leaving the south region due to environmental and political pressures (Wilcox, 1992, p. 7). The consequence of this migratory trend was decimation, labour exploitation, conflict and cultural erosion (Wilcox, 1992, p. 7).

This period marks the beginning of the process of encroachment of the Terena indigenous traditional lands, which was seized by ranchers. Despite resisting violently against the occupation of their lands, the Terena groups had no option but to abandon their villages or engage in labour forces to be allowed to settle in the ranches, since the region was acknowledged by the government as crucial to Brazilian development interests due to the cattle ranching potential (Wilcox, 1992, pp. 17, 23, 24). The consequence of this process was the gradual incorporation of the Terena groups into Brazilian society as second-class citizens, who as a result were at risk of losing their tribal identity altogether (Wilcox, 1992, p. 24). Campo Grande, in the Mato Grosso do Sul state is the city where the indigenous presence is mostly visible and one of the reasons is that the urban space encroached Terena's villages, in a process of transformation of indigenous territory into an urban setting (Caleffi, 2003, p. 32). The consequences of this forged process of coexistence have been detrimental to the Terena. Ribeiro (2009, p. 463) referred to the urbanised Terena as the poorest among the poor, whose culture has been replaced by the habits, religion and lifestyle of the poor non-indigenous population, in a process of ethnic transfiguration.

Studies conducted in the period from 1997 to 2001 assessed that the forced incorporation of the Terena groups into the urban context had caused the emergence of conflicts and serious socio-political, economic and cultural drawbacks (Albuquerque & Souza, 1997; Aguiar & Souza, 2001, cited in Souza & Garnelo, 2006, p. 286). One of the most severe consequences relates to their deteriorated health. In the aftermath of these pervasive grievances, the Terena peoples have experienced significant rates of alcoholism, with a rate of 18.8 per cent in 1997 and 11.5 per cent in 2001 for the population over 15 years of age (Albuquerque & Souza, 1997; Aguiar & Souza, 2001, cited in Souza & Garnelo, 2006, p. 286). Moreover, the studies showed that alcohol dependence has been higher among men than women. However, the research highlighted that problems related to alcoholism were increasing among younger women who were working in domestic services (Albuquerque & Souza, 1997; Aguiar & Souza, 2001, cited in Souza & Garnelo, 2006, p. 286). Mussi (2008, p. 9) argued that migrant indigenous women are overloaded with domestic duties and responsibility to contribute to family income may provide a possible explanation to this trend. Without the skills for living in urban settings, lack of formal education and language differences, the Terena women are often employed as domestic workers in Campo Grande, in low-paying unskilled work. Alcoholism not only reinforces discrimination against ethnic groups but is also associated with other problems that undermine indigenous health and enlarge the gaps of social indicators, such as dietary nutrition patterns and social pressures (Guimarães & Grubits, 2007, p. 47).

Nevertheless, despite the difficulties related to the pressures undergone by the urban Terena, Campo Grande is highly regarded as a pioneer in the establishment of the first indigenous urban village in Brazil (Campos, 2006). As an example, the urban indigenous village Marçal de Souza was built in 1999, with traditional elements in the houses' architecture having been taken into account, such as the shape of the roofs which resemble the traditional circular system (Campos, 2006). Moreover, Marçal de Souza has an indigenous school, the Tumune Kalivono (children of the future) and the Memorial Centre for Indigenous Culture. More than a decade after Marçal de Souza being built, two other urban indigenous villages were constructed in Campo Grande, namely Agua Bonita and Darcy Ribeiro (Vieira et al., 2012, p. 7). However, a significant question is to what extent these projects have actually improved the living

conditions of the Terena's communities and also the accountability to their indigenous rights.

In spite of testimonies from community members about the effects of these interventions in the recovery of self-esteem, they have hardly contributed to the improvement of urban Terena's livelihoods (Campos, 2006). Studies have shown that, in the long run, market integration has not improved. In addition, the areas in which the urban indigenous villages are confined are regarded as regions of extreme poverty (Vieira et al., 2012, p. 7). Indeed, in Marçal de Souza in 2005, 71 per cent of workers received a minimum wage or less, and in Agua Bonita the unemployment rate reached 48 per cent (Campos, 2006, Mussi, 2011, p. 210). Overall, the Terena groups still hold a low level of education, given that 88.7 per cent do not complete primary education. Lack of education restricts access to the labour market, as reflected in the Terena's general unemployment rate of 77.6 per cent (Mussi, 2011, p. 210). Hardships associated with the lack of professional qualifications have greatly impacted on women, many of whom employed as maids, due to the lower incomes and more precarious work conditions (Mussi, 2011, p. 210).

The urban experience of the Terena people has revealed that ethnic boundaries remain in spite of attempts to negotiate urban space with non-indigenous society. The urbanisation of the Terena people has been determined by rural exodus and the pursuit of survival, but mainly by the urban development that intruded on indigenous ancestral lands. As argued by Mussi (2008, p. 1), the Terena have lived in a kind of "in-between zone" unable to retrace the way back because there is no homeland to return to, and alienated from their surrounding society. Nevertheless, constraints on the Terena communities cannot be misinterpreted as an abdication of their ethnic identity. Mussi (2011, p. 209) asserted that the Terena have built and transformed their ethnic identity by the interaction of social groups and strategies to incorporate new cultural elements from other ethnic groups. This positive perspective is relevant to counterpoint the assumption of identity loss that hinders their access to legitimate distinct rights. Once deprived of their indigeneity, the urban indigenous groups are assigned by non-indigenous society as responsible for their poverty, resulting from negative stereotypes such as being lazy, drunk, dirty and treacherous people (Litaiff, 2008, p. 117). To a large extent this assumption may justify neglect from the public and private sector in

adopting an indigenous rights approach to development programs and actions, thus perpetuating their condition of social invisibility. In this context, stigmatisation emerges as the primary vector of urban indigenous invisibility and neglect.

4.2.3. Commonalities in the narratives of deprivation of urban indigenous communities

The case studies presented above related to the experience of two urban indigenous groups, namely the Pankararu and the Terena. These could refer to any other ethnic group in Brazil. Yet, some commonalities distinguish their experiences, highlighting a few key overarching challenges for policy makers. Authors, such as Dias Jr. et al. (2010, p. 51), drew attention to the exclusion of indigenous peoples in studies of racial inequality in Brazil. This omission is justified by policy planners as resulting from the reduced percentage of indigenous populations, which represents only 0.4 per cent of the total Brazilian population (Dias Jr. et al., 2010, p. 51), as mentioned in Chapter 3. The longstanding disregard for indigenous features in demographic and socio-economic research has enhanced dissimilarities between indigenous and non-indigenous groups, demonstrated by overall social indicators (Dias Jr. et al., 2010, p. 51).

Recognition of indigenous rights as a basis for constructive engagement of policy planners in fostering a distinct development structured in an innovative pattern that meet indigenous expectations is tied up with the power of indigenous peoples to influence decisions and priorities. In other words, socio-political organisation may be deemed central in structuring the debates about diverse ideas and conflicting interests. Castells (2008, p. 78) argued that without the effective pressure and ability of civil society to articulate their views, the needs and aspirations the states elopes from particular subjects. From this perspective, there is a void in the public sphere that needs to be filled by urban indigenous movements, and the lack of a significant representation may be deemed a key factor in the persistence of poverty and neglect among urban indigenous groups. Distance between citizens (or particular groups of citizens) and their representatives impacts negatively on the ability of the nation-state to manage specific interests which directly affects policy making (Castells, 2008, p. 82).

The case studies disclosed organised efforts to enhance the communities' potential to claim for their rights. The Pankararu group created the non-governmental SOS Pankararu Indigenous Community which struggles to ensure that social welfare policies are implemented in the community. In 2005, the Terena groups of Campo Grande were granted a political space in the municipality, by being ensured their right to create the Municipal Council for the Protection and Rights of Indigenous Peoples of Campo Grande (Campos, 2006). However, far from being an ethnic unity these indigenous organisations have represented exclusively a community interest and thus have not advocated on behalf of their whole ethnic group (Lazzari, 2010, p. 42). Moreover, the limited outcomes of urban indigenous movements highlights the role of the (Brazilian) state as the aggregating factor capable of converging an indigenous distinctive development with an indigenous rights framework, as the duty-bearer of these ensured rights (Caleffi, 2003, p. 31). The relationship between urban indigenous communities and the government is scrutinised in the following section which will provide an analysis of their access to mainstream welfare policies.

4.3 Urban indigeneity in perspective: Politics of indigeneity

As stated by Marschke et al. (2008, p. 483), engaging indigeneity in development practices has been a contentious and highly sensitive issue for national governments worldwide. At the heart of these contentions lies the difficulty in understanding indigeneity, as already referred to in Chapter 1. As a primary hurdle, the huge diversity of experiences and cultural practices of indigenous peoples rejects the idea of homogenous minority groups (Maaka & Fleras, 2005, p. 28, Marschke et al., 2008, p. 485). Unlike refugees or immigrant groups who look for a new place where they can put down roots, indigenous peoples are calling for their suppressed rights resulting from a denigrating colonial pressure that subsumed them to practices of displacement and assimilation (Maaka & Fleras, 2005, pp. 32, 33). Some authors (Maaka & Fleras, 2005, pp. 30, 31, Marschke et al., 2008, p. 485) associate indigeneity with the features of their struggle based on resilience, resistance and transformation, challenging states by demanding the autonomy usurped from indigenous nations during the colonial period. In this context, indigeneity transcends the struggles for provision of basic needs and looks for a "new social contract" in which they can be acknowledged as peoples,

sharing a nation-to-nation relationship, thus overcoming discrimination and marginalisation, and above all the subaltern category of multi-cultural minorities (Maaka & Fleras, 2005, pp. 31, 32).

Marschke et al., (2008, p. 486) cited the most common forms of marginalisation that prevent development policies from comprehending and taking into account the aspirations of indigenous groups: firstly, the “lack of knowledge” about indigenous epistemologies, secondly “negative or paternalistic stereotypes” that belittle them, and thirdly, “disregard for indigenous specificity”, due to assumptions that integration is unavoidable and therefore development policies do not account for the specific needs of indigenous peoples. In Brazil, these intertwined forms of marginalisation are reflected in development practices which totally neglect the urban indigenous (Caleffi, 2003, p. 31, Nakashima, 2009, p. 60). Despite the role of the Brazilian National Indigenous Foundation (FUNAI) in protecting and promoting indigenous peoples’ rights, in compliance with the 1988 Brazilian Constitution, there were no references in literature about the performance of this agency for the benefit of urban indigenous communities. In response to a specific consultation, sent in August, 2012, the Secretary of Sustainable Development of FUNAI, referred to the lack of information about integrated policies, programs and actions, and budgetary resources allocated to benefit indigenous communities living in urban areas (See Appendix 1). The failure to acknowledge the indigeneity of urban indigenous groups may be regarded as an example of colonial practices still in force (Caleffi, 2003, p. 32).). The experience of urban indigenous groups presented in the three case studies showed that the advancement of indigenous rights as an approach to development has not been capable of halting the cycle of poverty, unemployment and cultural assimilation in Brazil. The following sections will analyse the achievements of mainstream welfare policies in Brazil in terms of addressing urban indigenous distinctiveness.

4.3.1 Access to a culturally-sensitive health provision

Available datasets have shown that indicators of indigenous health are consistently poorer than comparable indicators for non-indigenous groups (Stephens et al., 2006, p. 2021). Statistics also show that indigenous peoples have the same diseases as non-

indigenous groups but at much higher rates (Stephens et al., 2006, p. 2021). The resilience of indigenous peoples has several dimensions, for instance the capacity to engage with indigenous culture, networks and resources and, concurrently, with global societies for the acquisition of technical skills, educational qualifications and to overcome prejudice (Durie, 2011, pp. 30, 31). This explanation leaves aside colonial views about “constitutional inferiority” to define indigenous health status as currently deriving from political and economic oppression, resource alienation and exclusion (Durie, 2011, p. 238). Circumstances of extreme poverty, in which structural racism and discrimination are prevalent, make urban indigenous communities more vulnerable to poor health.

The analysis of the case studies has anticipated a scenario in which urban indigenous health is framed. A fundamental aspect that emerges is the lack of recognition of indigenous health systems by the state. The Brazilian health system has neither recognised, respected or incorporated the indigenous concept of health nor has worked in harmony with traditional systems. Mono-cultural universalist health systems, based on a concept of society being homogeneous and thus privileging the dominant national culture over all others, has not adequately reflected health needs of indigenous peoples (Marschke et al., 2008, p. 488). The emergence of diseases such as hypertension, diabetes, cancer, depression and suicide, and also the increased prevalence of mental disorders, alcoholism and interpersonal violence, may be attributed to the growing urbanisation of ethnic groups, and health systems that are not attuned to ethnic and cultural differences (Guimarães & Grubits, 2007, p. 46). The obstacles for implementation of indigenous health policies comprise the lack of expertise of health professionals in traditional indigenous knowledge and culture, which has also been ascribed as relevant to obtaining satisfactory outcomes in the improvement of health rates (Athias & Machado, 2001, pp. 429, 430). Specifically referring to the increasing alcoholism among the Terena groups, Souza and Garnelo (2006, p. 286) argued that few studies have devoted attention to the analysis of this problem. Equally, Nakashima (2009, p. 23) also stated that urban indigenous diseases such as diabetes and hypertension, as aftermaths of the shift in dietary nutrition, and chronic alcoholism, have increased among the Pankararu population, having been aggravated by lack of access to the health system.

Overall, Brazilian indigenous peoples have coped with rates of morbidity and mortality above national levels, and have experienced persistent invisibility due to lack of information, which perpetuates the inequalities (Coimbra Jr. and Santos, 2000, p. 125). Although intercultural health experiences have led some multicultural countries to coordinate between indigenous and Western health systems, in Brazil this choice has not been offered to urban indigenous communities. In August, 2012, I consulted the Ministry of Health, which is also in charge of indigenous health by email. The conversation revealed that an intercultural health system based on the respect for indigenous rights as codified in international agreements and national law is inexistent (See Appendix 2). The response provided by the Special Secretariat for Indigenous Health stated that the establishment and implementation of distinctive models of health promotion, such as to urban indigenous groups, is regarded at odds with the current system, which comprises a constitutional right to the Brazilian population as a whole, hence, making the approach universalist (See Appendix 2). By including urban indigenous peoples in broader categories such as “vulnerable groups” or “the poor”, the Brazilian state fails in developing health policies that meets their specific aspirations and needs.

Countering the Special Secretariat for Indigenous Health, Sousa et al. (2012 p. 94) argued that the Brazilian universalist health system does not comprise elements of indigeneity capable to adequately provide for urban indigenous distinctive needs, such as interpreters, or professionals with knowledge about the cultures and its specificities. Notwithstanding, due to the lack of initiatives to establish specific health policies for urban indigenous groups, any possible decision to address these populations has been restricted to alternatives adopted on the discretion of local governments. For instance, two health social workers and two nursing assistants have been hired to provide distinct health care to the Terena groups inhabiting the urban indigenous villages Marçal de Souza and Água Bonita (Carvalho, 2007). In Sao Paulo, the Pankararu advocacy for differentiated health service has also assured them the regular assistance of indigenous health agents, exclusively designated by the municipality to assist the indigenous population inhabiting the Real Parque shantytown (Carvalho, 2007).

The promotion of indigenous concepts of health requires the recognition of determinants mentioned above as significant contributors to achieving positive

outcomes. Similarly to the health context, the education policies and programs have also presented obstacles in defining the guidelines for a rights-based policy framework addressed to urban indigenous population. The assessment of education provision to urban indigenous made in the next section relates the findings in this area.

4.3.2 Access to a culturally-sensitive education provision

Despite being guaranteed by domestic legal provision, indigenous people in Brazil have also not attained a satisfactory rate of inclusion in the educational system (Garlet et al., 2010, p. 65). The lack of a curriculum adapted to the needs of the indigenous culture creates difficulties for them in competing with the non-indigenous population for educational rights (Garlet et al., 2010, p. 65). In fact, the current policy of indigenous basic education is a challenge for professionals, since they need to encompass different pedagogical practices, such as teaching projects and education plans addressed at the social and cultural diversity of indigenous peoples (Garlet et al., 2010, p. 65). This inability to address indigenous distinctiveness reveals that, even though Brazil is rooted in a multi-ethnic background, the development agenda has not yet succeeded in structuring an educational system appropriate to meet different socio-cultural needs and to address realities. Despite having their education rights assured in legislation at the national level, the outcomes of educational policies for indigenous peoples are still modest. The lack of segregated data and published reports about distinctive policies, programs and actions, and the achievements attained by the urban indigenous population within education have also been reported as an obstacle to defining a culturally based education framework.

In September 2012, I consulted the Ministry of Education, which is in charge of indigenous education, by email (See Appendix 3). The response provided by the Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira – INEP, subordinated to the MEC, was composed by an internal report dated on 2007 and a data basis, and evinced the following facts: Firstly, although the number of urban indigenous people aged from five to 39 is 219,537 (IBGE, 2012a, p. 125), in accordance with the MEC's report, *Statistics on indigenous education in Brazil* (MEC, 2007, p. 16), very little is known about these urbanised indigenous groups. This assertion echoes in the

urban indigenous experience narrated in the case studies. Actions undertaken by local government to provide indigenous education have been scattered rather than a pattern grounded in a directive. For instance, in Campo Grande, the Terena communities have experienced dissimilar practices. While one Terena group living in the Marçal de Souza urban indigenous village have been provided with an indigenous school, on the other hand the Terena group living in Agua Bonita village has no access to distinct education for the 196 children between zero to 12 years old living in the locality (Carvalho, 2007). The urban Pankararu communities, in their turn, despite having migrated to Sao Paulo for over half a century, still lack an indigenous school. According to the Secretary of Education in Sao Paulo there is no plan for delivering distinct education policies for any urban indigenous group (Carvalho, 2007).

The lack of a more comprehensive national policy on urban indigenous education, which ensures that indigenous urban groups have differentiated curricula which are better geared towards indigenous culture and aspiration, has been detrimental to this population, causing delay or even disruption in schooling (Nakashima, 2009, p. 18). These outcomes have engendered alternatives such as quota reservation in tertiary studies as a remedial affirmative action. As a measure to compensate minorities for discrimination, in the mid-1990s Brazil officially recognised the racial discrimination, and adopted racial quotas in several universities. Garlet et al (2010, p. 68) argued that this acknowledgement could be a starting point to further achievements, since it may represent an individual advantage for those benefited by a quota. However, as a public policy, such attainment is far from sufficient.

Opposing the quota policy as alternative for education provision, Skidmore (2003, p. 1394) argued that these practices could generate a backlash considering that quota systems violate merit-oriented standards, and can make racial relations still more conflictive. Moreover, Garlet et al. (2010, p. 66) noted that the possibility of indigenous students being benefited by indigenous quotas in tertiary studies is very low, since the great majority do not complete elementary school. The examples provided by the three case studies illustrate in practice Garlet et al.'s (2010, p. 66) postulation. The shifts required in primary and secondary education, such as teacher training programs, school culture and education policies, are known to reduce disadvantages in tertiary education. In fact, the quota reservation may not represent a solution to this problem insofar as it

may not promote inclusion. However, providing urban indigenous communities with a comprehensive, culturally-based, educational process founded upon traditional tribal values may represent a starting point to overcoming assimilation pressures.

Similar considerations may be extended to subjects other than education, for instance the provision of housing policy, which is also a key component of the ethnodevelopment policies framework. The access of urban indigenous groups to the mainstream housing policy is described in the following section.

4.3.3 Access to mainstream housing policy

Whilst living in their ancestral lands in rural areas or in urban settings, the right to adequate housing is shared by indigenous peoples as an ensured human right (UN Habitat, 2009, p. 11). This right, however, encompasses more than providing shelter, it must be regarded as the right to live in peace, security and dignity (UN Habitat, 2009, p. 14). The UNDRIP, that is cited by Wiessner (2009, p. 1) as a “milestone of indigenous re-empowerment”, sets out the international standards for addressing indigenous well-being and dignity, for instance the rights to equal enjoyment of social rights, including housing (UN Habitat, 2009, p. 16). The improvement of housing and living conditions of urban indigenous communities is interwoven with the development and implementation of distinct housing policies, grounded in the indigenous rights framework.

Rising urban growth in Brazil, as well as in other countries worldwide, has made housing increasingly expensive due to the scarcity of land, which makes owning or renting overpriced and prohibitive to a great part of Brazil’s poor population. In particular, for indigenous peoples who are amongst the poorest, there is no choice but to live in slums or on the streets. Research conducted in 2007 by Figueira Jr. and Ferreira assessed the impacts of urbanisation on indigenous livelihoods. Accordingly, it was pointed out that approximately 23,000 indigenous people live in slums (Figueira Jr. & Ferreira, 2007, p. 11). In addition, it had been identified that 13,000 urban indigenous have no access to pipe water and for 10,000 people there is no sewerage alternative (Figueira & Ferreira, 2007, p. 11). The official statistics have not endorsed these numbers and evidence

showed that the total indigenous population living in slums could be greater. Additionally, concerning access to the sewage system, indigenous households presented the greatest deficit of infrastructure, equivalent to 67.5 per cent (IBGE, 2012a, p. 113).

Despite being critical, the living conditions of urban indigenous populations have not been specifically highlighted in mainstream housing policies addressed at low income people. In Brazil, the Ministry of Cities is in charge of urban development matters, such as the establishment and implementation of housing policies, particularly for the lower strata of the population (Rolnik & Klink, 2011, p. 107). In fact, facing a housing deficit of almost eight million dwellings, the focus of mainstream programs in general is on low income households albeit not focusing on diversity of poor groups (IPEA, 2007, p. 281). The housing program that addresses the lower income population, Minha Casa Minha Vida (My House My Life) - PMCMV, is strongly related to the central government's social agenda, which aims to build one million houses before 2014 (Klintowitz, 2011, p. 111). However, the conditions imposed by the financial institutions for applying for a loan to buy a house are not specifically applicable to indigenous groups, due to the dissimilarities to other urban poor groups. As an example, the evidence of regular income to attest the capacity for payment of monthly instalments, required by the banks, has been challenging to urban indigenous groups whose gains usually originate from small scale trade in the informal sector.

In August, 2012, I consulted, by email, the Ministry of Cities about the number of urban indigenous who had already accessed the above mentioned mainstream housing policy. The conversation revealed that due to the lack of segregated data this information is currently unavailable. (See Appendix 4). Based on the analyses related to the case studies, the access to mainstream housing policies by urban indigenous groups may be deemed unfulfilled. For example, a survey conducted in Campo Grande has shown that a third of the 4,641 self-declared indigenous are currently living in 293 houses built in three urban villages, namely Marçal de Souza, Jardim Noroeste e Água Bonita (Carvalho, 2007). The Marçal de Souza village is the only regarded with urban infrastructure, such as schools, public transport, health center, among other public equipment (Carvalho, 2007). In Sao Paulo, the Pankararu groups struggle for a collective solution to overcome the deadlocks raised by the long term illegal occupation

of the Parque Real area. Hitherto, few urban indigenous families have reached the conventional housing policies (Carvalho, 2007).

As showed in the narrative of the urban experience of the Terena and the Pankararu, the mainstream housing policy may have barely trickled down, hardly producing permanent and comprehensive positive shifts in their livelihoods. In the next section the achievements made by the PBF in terms of reaching urban indigenous groups will be described.

4.3.4 Access to mainstream cash transfer policies

Access to cash transfer policies by indigenous peoples has been a controversial issue. Almost two decades after being implemented as mainstream welfare policies, the difficulties in complying with the conditionalities imposed by the various is still in discussion (MDS, 2010). Reports have made clear the need for distinct treatment for these vulnerable people, as well as the provision of future regulation addressing the matter (MDS, 2010). Indeed, the prominence achieved by cash transfer programs has encouraged efforts from the state to extend them to every Brazilian groups. According to Hall (2012, p. 26), conditional cash transfers have achieved great popularity in developing countries due to the relative simplicity of this instrument as a social policy to address mass poverty. Moreover, conditionalities, such as children's regular school attendance, provide a moral justification (Hall, 2012, p. 25). However, this fast means of tackling extreme poverty, albeit not generating development, has been attractive to developing countries' governments and beneficiaries.

In Brazil, the Programa Bolsa Família – PBF is the conditional cash transfer program which is the central axis of the Brazilian government's social agenda. The PBF, created in 2003, has been assigned to provide regular supplies of food and cash aid to 13 million Brazilian families living below the official poverty line, under specific conditions (MDS, 2012a). Furthermore, the PBF has been credited to reach groups who have been excluded from welfare projects in the past, such as indigenous communities (Hall, 2012, p. 29). However, the conditionalities that have aimed to assure improvements in the livelihoods of the poor have constituted an impediment to access for indigenous

populations. Almost ten years from the PBF creation, barriers faced by indigenous population to comply with conditionalities are still in discussion (MDS, 2010). Reports have informed the need for distinct treatment for these vulnerable people, as well as the provision of a future regulation addressing the matter (MDS, 2010).

In order to scrutinise the access of urban indigenous population to this mainstream social policy, in September, 2012, I sent an email to the Ministry of Social Development (MDS) requesting information about the access to the PBF by the urban indigenous population (See Appendix 5). The response provided by the Citizen Information Service of the MDS included a data basis, according to which over 220,000 urban indigenous inhabitants are currently registered as potential PBF's beneficiaries, representing 69.8 per cent of the total urban indigenous people. Notwithstanding, the MDS's data basis also showed that only 79 per cent are eligible to receive this benefit. Access among the urban indigenous population to PBF is even lower, representing 55.5 per cent of potential beneficiaries, when the 2010 Census is taken into consideration. Concerning the areas related to urban indigenous groups cited in the case studies, the aforementioned data basis revealed that, in Sao Paulo 1,281 urban indigenous families are beneficiaries of the PBF, representing 10 per cent of the indigenous population living in this metropolis. In Campo Grande the number of urban indigenous beneficiaries accessing this policy is 1,847 beneficiaries, comprising 32 per cent of the urban indigenous inhabitants (MDS, 2012c, IBGE, 2012a). The information available in the referred data basis does not allow the identification of the beneficiaries according to their ethnic group thus preventing to determine the extent to which the urban Pankararu and Terena communities have reach this cash transfer policy. Nevertheless, despite flaws in reaching the whole group of eligible urban indigenous, the PBF is the mainstream social policy which has by far the highest rate of access. However, the extent to which this benefit has promoted human development has not matched positive expectations or yielded sufficiently positive outcomes.

4.4 Chapter conclusions

In summary, elements of indigeneity such as the distinction that features the rights and aspirations of urban indigenous peoples in Brazil were not identified in mainstream

urban welfare policies in Brazil. The complexities of urban indigenous issues challenge political order because they are grounded in sharing a nation-to-nation relationship, in which indigenous peoples seek to live together differently, according to their cultural values. The impact of this demand hits hard in conventional notions of universal equality, and consequently, in the government's willingness to engage with indigenous peoples. This study has not identified relevant concerted efforts at national level to improve urban indigenous livelihoods. The lack of segregated data to reflect cultural and social considerations related to urban indigenous communities only serves to maintain their anonymity and invisibility. The following Chapter will present the final discussions, concluding remarks and recommendations. In conclusion, in analysing the indigenous rights within human rights approach to development in Brazil, a reflection on the literature examined will also underpin the implications identified as a result of the findings and will be discussed in the following Chapter.

Chapter 5

Discussion and Conclusions

5.1 Introduction

This Chapter discusses the key findings of this study within the context of the current literature described in Chapters 2 and 3. The first section scrutinises the main constraints identified in the assessment of the three case studies related to different urban indigenous groups, under the lens of an indigenous rights approach to development. The concept of ethnodevelopment as distinct development based on indigenous peoples rights, values and culture, in opposition to welfare policies and practices grounded in universalist premises permeates the discussion. Additionally, this section provides an analysis of the welfare policies targeted at poverty eradication in Brazil mentioned in Chapter 4, from the perspective of the distinctiveness of urban indigenous communities. By highlighting core issues relating to the living conditions of indigenous groups in urban settings, the research aim and questions which oriented this desk-based research are also addressed. The second section provides the response to a research question, while exploring how results from this study could be used to support recommendations for policy makers, civil society organisations committed to indigenous matters, and also for sectors in which research may be needed. The last section concludes this Chapter by offering final thoughts.

5.1.1 Thesis summary

The primary aim of this desk-based research was to explore to what extent indigenous rights have been addressed in urban welfare policies in Brazil. In order to fulfil this research aim the following questions were formulated:

1. How have current urban development policies in Brazil addressed social inclusion of urban indigenous groups?
2. How have the diverse views of indigenous peoples within urban settings been addressed by the Brazilian mainstream social policies framework?
3. How could indigenous rights be strengthened in urban development practices?

5.2 Key issues in the context of this study

This thesis aimed at identifying how indigenous rights have been addressed by urban welfare policies in Brazil. Primarily, the analysis has implied that the right to development is intrinsic to human rights, taking into account that without including indigenous issues in development, human rights cannot be realised (Hamm, 2001, p. 1030). Moreover, this thesis has considered that awareness of the gains in orienting a development policy dialogue towards human rights, enhancing people's choices, capabilities and basic freedom as a broad international consensus, has also influenced the Brazilian social development agenda (Paes de Barros et al., 2001, p. 5). As a starting point, this study has primarily focused on the analysis of the impacts of urbanisation on indigenous livelihoods. The outcomes of this analysis have shown that urbanisation has been particularly detrimental to indigenous peoples and the differences derived from conflicting visions of development between indigenous and non-indigenous societies were highlighted (IOM, 2008, p. 24).

These diverse views can be explained by the structure of the Brazilian indigenous sociocultural system, which is, as with other ethnic groups, concerned with maximum social equality and domestic self-sufficiency, and the maintenance of human societies and cultures (Bodley, 2008, p. 3). Distinct from indigenous systems, Western urban-organised societies are based on market exchanges, industrial mass production and private ownership of key resources (Bodley, 2008, p. 3). The total contrast between the rationale of the two systems, incompatible from the start, makes indigenous societies particularly vulnerable, especially in urban settings. Acknowledging indigenous needs and rights as a basis for distinctive development has been pointed out by the literature as a key issue that needs to be addressed in overcoming the constraints undergone by urban indigenous groups, such as economic underdevelopment, cultural disruptions,

health drawbacks and social and political isolation (Maaka & Fleras, 2005, p. 33). This understanding is highlighted in the research questions, which will be responded to in the following sections, which will also present the main findings of this thesis.

5.2.1 **Key issue 1: social inclusion in welfare policies in Brazil**

To answer the first research question, namely how current urban development policies in Brazil have addressed social inclusion of urban indigenous groups, the case studies analysed in Chapter 4 and the current welfare policies framework were scrutinised. Underlying this question is the idea that discrimination and marginalisation may be highlighted as a relevant barrier against a constructive engagement with a pluralistic agenda which could encompass distinct principles of development urban indigenous communities (Fisher, 1994 p. 221). Moreover, the skills inadequacy of indigenous peoples in urban settings together with the limitation of policy planners to incorporate elements of indigeneity into the welfare policies framework has increased the social vulnerability and state dependence of urban indigenous groups (Patrinos, 2000, p. 9, Lazzari, 2010, p. 65). As a consequence, this study showed that access to welfare policies by the urban indigenous groups related to the case studies has been hampered by incompatibilities of the mainstream programs and services provided with urban indigenous cultural distinctiveness (Cardoso & Gonçalves, 2011, p. 8). The lack of access to distinctive welfare policies may be deemed as a pressing and compelling force inducing urban indigenous communities to adapt to their new social conditions in an integrationist viewpoint (Nakashima & Albuquerque, 2011, p. 195, Mussi, 2011, p. 209). The example provided by the housing project the Marçal de Souza urban indigenous village addressed to the Terena urban communities in Campo Grande, is a case in point. Although conceptually the project had represented a breakthrough in conventional urban development policies, the discontinuity in pursuing a distinctive approach to development failed to ensure a long-standing pattern of urban indigenous welfare (Vieira et al., 2012, p. 7).

However, explaining the constraints of urban indigenous communities as intentionally exclusionary oversimplifies complexities that permeate the Brazilian development agenda. Although economic asymmetries in Brazil have an important colour and gender dimension, as mentioned in Chapter 3, 15 per cent of the total population of 16 million people are still living in extreme poverty (MDS, 2012a), and eleven million live as

squatters (IBGE, 2010). Urban indigenous communities account for four per cent of the Brazilian population (IBGE, 2012a, pp. 54, 90). Considering this significant number of people living in absolute poverty, Brazilian efforts to uphold basic democratic rights, promoting greater equity and alleviating poverty have been translated into universalist social policies targeted to lower strata (Hall, 2012, p. 29). Despite being controversial, in some authors' perspectives, such as Hujo and Gaia (2011, p. 232), universalism as a basis for welfare policies emerges as a model of social provision, granting to the entire population of a country the access to basic services. In addition, strong state commitment towards programs grounded in values of social justice implies the compliance of the states with international treaties in promoting a development policy framework based on human rights. In terms of being an instrument for poverty reduction, a policy framework defined within a unified concept could be proved beneficial to expand social assistance programs and improve the coverage of social security (Hujo & Gaia, 2011, p. 232).

In opposition to this aspirational premise, an exclusionary pattern is evidenced in various facts. For example, according to the Brazilian Institute of Geography and Statistics (IBGE), the highest levels of income inequality are registered amongst indigenous households (Justino et al., 2004, p. 9, Dias Jr. et al., 2010, p. 51). Therefore, from the perspective of the social inclusion of urban indigenous communities in Brazil, this thesis has verified that, although Brazil has experienced economic growth, the situation of urban indigenous peoples has not only failed to improve but has become more impoverished (Ravallion, 2009, p. 17). This conclusion provides an answer to the first research question and raises concerns around the extent of which urban indigenous groups' worldview is embedded in the Brazilian social development agenda. This issue will be discussed in greater detail in the following section.

5.2.2. Key issue 2: social inclusion in practice

The second research question namely how the diverse views of indigenous peoples within urban setting have been addressed by the Brazilian mainstream social policies framework, necessitates a confrontation of mainstream welfare policies with the conceptualisation of distinct citizenship, which the indigenous rights framework

underlies. A first concern in this regard is associated with health. Considering that impacts of urbanisation on indigenous livelihoods have been deemed a societal determinant of health, the lack of access to an appropriate rights-based health system may entail an increase in the vulnerability of the urban indigenous population (Little, 2005, pp. 460, 461). This study found that migration to urban settings has had a negative influence on indigenous health. Modifications to nutritional diets, educational drawbacks and lack of information on indigenous language, among other determinant factors, have led to the emergence of Western related diseases among the urban indigenous groups, such as hypertension, diabetes, cancer, HIV, depression and suicide, mental disorders, alcoholism and interpersonal violence (Guimarães & Grubits, 2007, p. 46, IOM, 2008, p. 48). This thesis argued that the implementation of indigenous health policies, however, depends on a review of the current health services and health service providers, taking into account the recognition of indigeneity and reshaping paradigms of development strictly based on Western concepts (Athias & Machado, 2001, pp. 429, 430). Mechanisms to ensure that the inalienable right to health is met include accessible, available and affordable health care that is of good quality and non-discriminatory. Improvements in health and education systems which enable constructive engagement with indigenous cultural values, would pave the way for a more inclusive indigenous development approach, or in other words ethnodevelopment.

A second point relates to the education policies directed at urban indigenous communities. The complexities of providing distinctive education based on indigenous worldviews, cultures and values reflects the multiculturalism of Brazil's demography. The self-declared indigenous population in Brazil consists of 305 ethnicities and 274 different languages (IBGE, 2012a, pp. 54, 90). Despite having the rights to a distinctive education assured by legislation at the national level, the difficulties in addressing such a multi-ethnic background and succeeding in structuring an educational system able to meet different socio-cultural realities represent a considerable challenge for policy planners. Of greater concern, and with far-reaching consequences, is the fact that there is not a benchmark for quality in indigenous education (Garlet et al., 2010, p. 65). By taking into account that resilience depends on human capacity to understand complex and adverse environments, education may be fundamentally relevant, providing significant gains to urban indigenous empowerment (Durie, 2011, pp. 32, 33). Additionally, increased levels of schooling would create better wage opportunities for

urban indigenous groups, since education has been found to be positively related to increasing income and social mobility (Partridge et al., 1996, p. 3). The engagement of indigenous peoples in decision-making, as a pre-condition for cutting the bonds of underdevelopment, may be regarded as crucial for the formulation of culturally sensitive education policies.

The urban experience of the Pankararu and the Terena, referred to in the case studies also demonstrated that another common cause of distress among urban indigenous communities relates to housing provision. As a primary social right and a pre-condition for wellbeing and dignity, inadequacy or the lack of access to housing, increases the hardships undergone by urban indigenous groups. The analysis of the case studies confirmed that the struggle for housing is an essential issue for the urban indigenous population and, as such, represents a relevant point in which the convergence of collective demands must be emphasised. In fact, the experience of the Terena, linked to the first indigenous village and built in accordance with ethnic values and culture is a case in point (Vieira et al., 2012, p. 7). The potential to expand this initiative to other ethnic groups, addressing the basic need of housing through a welfare policy framework grounded in indigenous rights must be highlighted.

The reasons for the first urban indigenous village in Brazil not having fostered a new pattern of housing development policy rooted in the distinctiveness of ethnic cultures and values can be ascribed to the absence of combined actions embedded in concepts of ethnodevelopment, and may be taken as learned lesson (Campos, 2006, Vieira et al., 2012, p. 7). Ensuring urban indigenous communities customised and innovative provision of basic needs such as housing has the potential to establish new paradigms of relationships based on principles of diversity aligned with a human rights approach to development. However, a relevant lesson derived from the long-term negative outcomes of the singular experience of the Terena's urban village is indicative of the overall concept of ethnodevelopment. Mainstreaming ethnodevelopment policies may be thus understood as a cross-cutting task aimed at comprehensively ending discrimination and exclusion of indigenous peoples by means of distinctive rights-based development (Hamm, 2001, p. 1030). Such description of ethnodevelopment is tantamount to a holistic understanding that people living in poor housing conditions, in highly deprived

neighbourhoods, will have poorer health status, and will be less likely to access education, thus limiting future income and opportunities.

As a fourth point, the access to conditional cash transfer benefits by the 55.5 per cent of the urban indigenous population must be highlighted as a far more significant mainstream welfare policy in terms of bridging racial gaps. The advantages of this financial benefit to the urban indigenous population in terms of improving social indicators, however, have been assessed by authors such as Hall (2012, p. 30) as questionable. According to Hall (2012, p. 34), cash transfer policies alone are not only unable to generate long-term development but may also induce a “culture of dependence” in which the poor increasingly rely on government hand-outs due to the absence of associated measures to strengthen human capital. The limited capacity of the cash transfer policies to engender long term positive and distinctive development to urban indigenous communities is evidenced in the analysis of the case studies. For the urban Terena and Pankararu communities, the access to cash transfer financial benefits has not promoted significant shifts in their livelihoods, despite this mainstream policy may be accredited as mitigating a pressing situation of extreme poverty (Bastagli, 2011, p. 66).

Notwithstanding, combating chronic poverty, particularly poverty of a kind which is embedded in a culture rooted in a past of racial subjugation has to involve more than short term initiatives that generate prompt outcomes. In this context, cash transfer programs might be adopted as a strategy for immediate relief of absolute poverty and starvation, and as a first stage to attain human development (Hall, 2012, p. 37). From this perspective, given the potential of cash transfer programs to reach the most disadvantaged, even surpassing racial barriers, planned and coordinated actions might be deemed as a starting point for an ethnodevelopment policies framework. Regardless the critiques related to the adoption of cash transfer programs as a poverty reduction strategy, the use of such an option is a means of creating tangible alternatives to expand the initial scope of this welfare provision and to ensure urban indigenous communities become more visible. Accordingly, cash transfer programs may represent a starting point for allowing the engagement of policy planners with indigenous rights as a frame of reference with which to design ethnodevelopment policies.

In summary, this study has found little evidence of the inclusion of indigenous peoples' worldviews into the Brazilian mainstream social policies framework. This finding achieves greater significance by taking into account that Brazilian urban indigenous groups have not benefited from the domestic legal system that is structured in such a way as to ensure indigenous people's protection. Nor has the system assured the basic rights of every citizen as it would be expected to by international conventions (Ferreira & Pedroso, 2010, p. 37). It must be highlighted that concerns of empowerment, of human capital strengthening, and ultimately of bringing urban indigenous groups out of poverty to enjoy distinct citizenship are deeply embedded in the concept of ethnodevelopment (Partridge et al., 1996, p. 5). In the next section, the answer to the third research question will be presented intertwined with the premises of which ethnodevelopment in practice.

5.2.3 Key issue 3: social inclusion in the context of ethnodevelopment policies

The third research question explored how indigenous rights could be strengthened in urban development practices. The response to such a question relies on the premise that, by taking indigeneity as a basis for engagement and entitlement not only challenges conventional notions about citizenship, but is deeply embedded in the rationale in which the new concept of human development as intrinsically merged with basic rights is grounded (Stavenhagen, 2009b, pp. 368, 369). Indeed, the relevance of understanding distinctive development policy as a state obligation based on respect, protection and fulfilment of human rights can be considered a key matter not only in overcoming extreme poverty in developing countries, but also to ensuring an inclusive citizenship rooted in the recognition of differences (Uquillas, 2004, p. 53). From this perspective, an indigenous rights approach to distinctive development includes non-discrimination, participation in decision-making, recognition of indigeneity expressions and access to basic needs considering innovative patterns that challenge conventional principles of statehood, as mentioned in Chapter 2 (Stavenhagen, 2009, pp. 368, 369).

Moreover, strengthening of urban indigenous communities in urban development practices depends on transcending difficulties faced by minority groups, such as the enhancement of a network of advocacy that may represent and give them a voice and a

face, as a pre-condition to fulfilling ethnodevelopment aspirations. The grassroots movements cited in the case studies, such as the SOS Pankararu, struggle with internal deficiencies such as poor organisation, poor representation and lack of funds. A challenging matter for the building of stronger networks is the distinctiveness of the ethnic groups. Brazilian indigenous peoples are neither a homogenous people nor do they exhibit a unit of purpose. In these ways the indigenous rights movements varies greatly from the minority rights movement. A network that could conjoin interests of urban indigenous communities could be beneficial to strengthen their influence in urban development practices. Other alternatives to achieve empowerment outcomes for urban indigenous groups will be introduced in the following section. The next section will present the overall conclusions of this thesis and further recommendations to enhance indigenous rights in development practices.

5.3 Conclusions and recommendations

This thesis has sought to illustrate that, in Brazil, a human rights approach to development materialises by way of universalist social policies targeted at the lower strata of society. It would be expected that the Brazilian state equally included groups that have actually been excluded from welfare systems, such as street dwellers, indigenous groups and rural communities (Hall, 2012, p. 29). The large size of Brazil's poor population, 44 million of people, has been a determinant in the adoption of universalism as development strategies that aim of reducing poverty in a relatively short term period (Hujo & Gaia, 2011, p. 231). Accounting for less than two per cent of the Brazilian population, urban indigenous communities have been disregarded in their specific rights as well as the exercise and enjoyment of all other interrelated and interdependent human rights (Pradella & Saldanha, 2008, pp. 54, 55, Dias Jr. et al., 2010, p. 51, Cardoso & Gonçalves, 2011, p. 8, Vieira et al., 2012, p. 7).

In this context, welfare policies frameworks may be engendering homogeneity in an arrangement that merges cultural diversity in a mono cultural model of development, represented by the majority group of population (Ferreira & Pedroso, 2010, p. 37). Limitations in the urban development agenda in accommodating distinct cultural contexts have entailed in deepening urban indigenous communities disempowerment

due to difficulties in accessing basic services such as health, education and housing (Ferreira & Pedroso, 2010, p. 37). This study has also pointed out that overlooking urban indigenous populations may be regarded as assimilationist practices that do not acknowledge a need for indigeneity (Schwingel, 2004, pp. 4, 5, Litaiff, 2008, p. 117, Marschke et al., 2008, p. 486, Mussi, 2011, p. 209).

Additionally, this thesis has shown that urban indigenous hardships cannot be assessed disconnectedly from a remarkable struggle to transcend the subaltern concern of minorities in multi-cultural countries. The challenge of conflating entitlements with identity and institutional participation with new notions of citizenship lies in overcoming the tensions between the structures of dominance that remain in conventional mindsets (Escobar, 1995b, p. 98). Of particular importance is shifting the mainstream development discourse which reaches disenfranchised groups living in absolute poverty, but excludes distinct minorities by locking them into silence and invisibility (Hujo & Gaia, 2011, p. 232).

A distinctive development grounded in principles of a rights-based discourse requires an institutional context devoted to the prospect of living together differently (Maaka & Fleras, 2005, pp. 42, 43). Therefore, transforming the foundational premises on which orthodox development policies framework are grounded to bolster indigenous development requires a high degree of engagement between indigenous peoples and the state (Maaka & Fleras, 2005, p. 28). Despite the political voice of urban indigenous movements has been far from significant to provide visibility, some authors agreed that external escalating pressures on urban indigenous livelihoods have led communities to organise in new ways, although still lacking a dynamic relation with domestic and transnational advocacy networks (Perz, 2008, p. 12). Effectively, the resilience of urban indigenous communities has been shown in their efforts to recuperate and reinvigorate their cultures, starting from a racial-ethnic reclassification trend observed in the results of the 2000 Demographic Census (Luciano, 2006, cited in IBGE, 2012b, p. 4). The case studies indicated an emerging movement that is interested in participating in making decisions regarding their own development. In this context, the SOS Pankararu Indigenous Community seeks to extend its actions beyond the local level (Nakashima & Albuquerque, 2011, p. 195). Equally, despite having only recently been created, the Municipal Council for the Protection and Rights of Indigenous Peoples of Campo

Grande was a demand from the urban Terena groups and aims to broadly gain urban indigenous interest (Campos, 2006).

Despite being different in stage, capability and organisation level, these incipient movements are struggling to be recognised as right-holders of distinctive rights. These movements are still small-scale and also limited at the local level, but their uniqueness in challenging definitions of development according to indigenous knowledge and culture has the potential to create opportunities for engagement of development networks with issues of identity. However, the capacity of urban indigenous social movements to actively participate in political decisions depends to a large extent on their ability to shape the debate in the public sphere (Davis et al., 2004, p. 3). In this context, participation confronts major challenges which encompass the mechanisms that urban indigenous movements have to develop to perform in their new functions, and to ensure the provision of policies which will generate capacity building, such as education (Bellier & Préaud, 2012, p. 482).

Advance in acknowledging indigenous rights and aspirations, ensuring the full participation of indigenous population in society at large has been modest. The ambiguity of indigenous resurgence in Brazil, prompted by the emergence of social movements endeavouring to defeat social exclusion, as stated by Perz (2008, p. 7), is reflected on the lack of effective achievements such as a framework of ethnodevelopment policies. The feeble outcomes resulting from the efforts of the urban indigenous groups cited in the case studies are cases in point. The engagement of indigenous social movements in the design of ethnodevelopment policies, despite being crucial to building this unprecedented framework, is still ambivalent and incipient (Laurie et al., 2005, p. 470). The response given by urban indigenous movements to the pressures of Western-centred development has been less assertive and less articulated than in rural indigenous communities whose engagement with transnational development networks began decades ago, due to their relations with environment (Fischer, 1994, p. 221, Laurie et al., 2005, p. 472).

Notwithstanding, as stated by Stavenhagen (2009b, pp. 368, 369), the ability of indigenous communities to organise and demand their rights is paramount to achieving best outcomes in a human rights-based development approach. Paradoxically, the persistent pattern of social exclusion, marginalisation and cultural discrimination

remains as a limitation on the full exercise of their rights and freedoms. The lack of cohesion and mobilisation around collective demands has also undermined scattered initiatives such as the Terena's urban indigenous village's project, undertaken by the local government in Campo Grande. The Marçal de Souza indigenous village, in Campo Grande, may be ascribed as an inception of an ethnodevelopment experiment that had not succeeded in creating a pattern. Concerted actions grounded in concepts of ethnodevelopment could not only have enhanced the full potential of this initiative but also could have established new paradigms of relationships based on principles of diversity rather than universality. As a point of departure to a social development agenda rooted in the distinctiveness of ethnodevelopment principles, in which indigenous rights can be strengthened in urban development practices, this thesis makes the following recommendations:

a) Promotion of urban indigenous political participation and representation

The participation of urban indigenous communities in the development process, albeit being a complex matter, is a key point to strengthen their capabilities and enlarge their range of choices. However, the capacity of indigenous peoples to implement their rights is narrowly related to the ability of multicultural states to provide the conditions for the development of significant skills and expertise to enhance the potential of indigenous population (Laurie, 2005, pp. 489, 490). Additionally, participation in decision-making depends on the extent that multicultural states constructively engage with indigeneity, consenting in sharing power, thus transforming foundation principles of multi-ethnic societies. In this context, a more pro-active stance of government in engaging with indigeneity could be embodied in providing the conditions for increasing urban indigenous participation in decision making by means of enhancing capacity building and agency. Comprehensive training in human rights matters may be regarded as highly desirable for policy planners.

b) Establishment of mechanisms for producing statistical social indicators

A relevant key issue pointed out by this thesis is the lack of distinctive indicators, which has prevented the identification of gridlocks that may be obstructing the access of urban

indigenous population to welfare policies (Dias Jr. et al., 2010, p. 51). Consistent data collection is a precondition to enable indigenous peoples to be identified for planning and action. The integration of monitoring mechanisms with indicators to assess the situation of urban indigenous poverty is also crucial to make them visible and acknowledged as distinctive groups (Peters, 2011, p. 72). A clear vision of the real level of urban indigenous groups' wellbeing would enable comparisons and measurements, and the development of specific social indicators and monitoring (Cariño, 2005, p. 32). Sensitive indicators could strengthen platforms of action since it could objectively substantiate urban indigenous demands. In view of this, developing a specific framework of indicators could be emphasised as crucial matters.

5.4 Unlocking the silence, breaking out of invisibility

This thesis has focused on the tangible outcomes of a new streaming vision of a human rights-based approach to human development, through the lens of urban indigenous people in Brazil. The experience of the urban indigenous groups examined in the case studies has demonstrated that the constraints undergone by urban ethnic groups in Brazil greatly derive from the lack of access to a distinctive social development agenda grounded in concepts of ethnodevelopment. Moreover, the legal framework in force, described in Chapter 3, albeit built to protect and ensure indigenous rights, presents dispositions such as the regime to tutelage, which may be concealing their voices, due to a tutor having to speak out on their behalf (Pallemaerts, 1986, p. 379, Caleffi, 2003, p. 26). Urban indigenous peoples may be speaking through intermediaries, which interpret their "Selves" subordinating them to a subaltern development.

The process of reshaping conventional development to lodge distinct approaches may be slow and painful, and there are no simple solutions or prescriptions. A drastic change in mainstream discourse around development would be required to challenge the driving forces of the development apparatus in a collective practice that involves social actors engaged in restructuring existing political order, and as a condition for a more lasting transformation. Notwithstanding, the acknowledged resistance and resilience of indigenous peoples have already defied gloomy predictions about their demise, as wretched victims of Western development (Ribeiro, 2009, p. 12). Threatened to

extinction, indigenous peoples have resurged and staged at political, cultural and demographic levels in several multicultural societies (Maaka & Fleras, 2005, p. 7). From this perspective, urban indigenous groups in Brazil could have already been paving the way to overcome the barriers that have held them lagging behind other ethnic groups in different multicultural countries.

As stated by Maaka and Fleras (2005, p. 291), a constructive engagement model that reflects understanding, inclusiveness and respect is paramount to rethinking the basis for living together differently. The measure of progress, to be achieved by improving urban indigenous livelihoods, will reflect positively on overall social indicators. Nevertheless, the impacts of strengthening cultural identity surpass conventional parameters of wellbeing. Accommodating the aspirations of indigenous peoples in a multicultural framework of distinct rights involves embracing new patterns of belonging and confronting foundational arrangements that exclude, exploit and control. In other words, by orienting social development towards human rights in a realignment of indigenous peoples-state relations, states can genuinely strive towards the eradication of poverty, providing citizens with the opportunity to progress towards economic growth, by equally participating in society. This thesis concludes holding a hope that urban indigenous population in Brazil continue developing the agency to challenge the monopoly of power and structures of dominance that have denied their right to indigeneity and to become key players in the shaping of a pluralist development agenda, enjoying an inclusive citizenship based on the recognition of their distinctiveness.

References

- Anaya, S. J. (2004). International human rights and indigenous peoples: the move toward multicultural states. *Arizona Journal of International & Comparative Law*. 21(1), pp. 13-61.
- Athias, R., & Machado, M. (2001). Indigenous peoples' health and the implementation of Health Districts in Brazil: critical issues and proposals for a transdisciplinary dialogue. *Cadernos Saúde Pública*, 17(2), pp. 425-431.
- Baniwa, G. (2009). To dominate the system and not to be dominated by it. International Policy Centre for Inclusive Growth (IPC-IG). *Poverty in focus*. p.p. 6-8. UNDP Brazil.
- Barelli, M. (2009). The role of soft law in the international legal system: the case of the United Nations Declaration on the Rights of Indigenous Peoples. *International and Comparative Law Quarterly*, 58, pp. 957-983.
- Barelli, M. (2012). Free, prior and informed consent in the aftermath of the UN Declaration on the rights of indigenous peoples: developments and challenges ahead. *The International Journal of Human Rights*. 16 (1) pp. 1-24.
- Bastagli, F. (2011). *Conditional cash transfers as a tool of social policy*. Economic & Political Weekly – EPW, 46 (21), pp. 61-66.
- Bellier, I. & Préaud, M. (2012). Emerging issues in indigenous rights: transformative effects of the recognition of indigenous peoples. *The International Journal of Human Rights*. 16 (3), pp. 474-488.
- Blaikie, P. (2000). Development, post-, anti-, and populist: a critical review. *Environment and Planning*, 32, pp. 1033-1050.
- Bodley, J. (2008). *Victims of progress*. Lanham, USA. AltaMira Press.

- Briggs, J., & Sharp, J. (2004). Indigenous knowledge and development: a postcolonial caution. *Third World Quarterly*, 25 (4), pp. 661-676.
- Briggs, J. (2008). Indigenous knowledge and development. Desai, V. & Potter, R. (Eds). *The companion to development studies*. London. Hodder Education.
- Brito, F. (2006). The displacement of Brazilian population to the metropolitan areas. *Estudos Avançados*, 20 (57), pp. 221-236.
- Brohman, J. (1995). Universalism, Eurocentrism, and ideological bias in development studies: from modernisation to neoliberalism. *Third World Quarterly* 16 (1), pp. 121-140.
- Caleffi, P. (2003). O que é ser índio hoje? A questão indígena na América Latina/Brasil no início do século XXI. *Diálogos Latinoamericanos*, 7, pp. 20-42.
- Campos, A. (2006). Aldeias urbanas. *Revista Problemas Brasileiros*, nº 373. SESC São Paulo. Retrieved October, 31, 2012 from http://www.sescsp.org.br/sesc/revistas_sesc/pb/artigo.cfm?Edicao_Id=234&breadcrumb=1&Artigo_ID=3664&IDCategoria=4010&reftype=1.
- Cardoso, C. & Gonçalves, B. (2011, August 23-26) *A transferência de renda e o povo Guarani Mbyá: a colonialidade do poder e a legitimação cultural*. Paper presented at the V Jornada Internacional de Políticas Públicas, Sao Luis, Maranhão, Brazil. Retrieved November 12,, 2012, from http://www.joinpp.ufma.br/jornadas/joinpp2011/CdVjornada/JORNADA_EIXO_2011/POLITICAS_PUBLICAS_PARA_OS_TERRITORIOS_POVOS_E_COMUNIDADES_TRADICIONAIS/A_TRANSFERENCIA_DE_RENDA_E_O_POVO_GUARANI_MBYA_A_COLONIALIDADE_DO_PODER_E_A_LEGITIMACAO_CULTURAL.pdf
- Cariño, J. (2005). *Indigenous peoples, human rights and poverty*. *Indigenous Perspectives*, 7 (1), pp. 28-46.
- Carvalho, P. (2007). Índios na cidade: experiências na área da educação mostram relevância da abordagem étnica. *Carta Maior Movimentos Sociais*. Retrieved

November 19, 2012, from. http://www.cartamaior.com.br/templates/materiaMostrar.cfm?materia_id=13972

Castells, M. (2008). The new public sphere: global civil society, communication networks and global governance. *ANNALS, American Academy of Political and Social Science*, 616, pp. 78-93.

Chambers, R. (1995). Poverty and livelihoods: whose reality counts? *Environment and Urbanization*, 7 (1), pp. 173-204.

Coimbra Jr, C., Santos, R. (2000). Saúde, minorias e desigualdade: algumas teias de inter-relações, com ênfase nos povos indígenas no Brasil. *Ciência & Saúde Coletiva*, 5 (1), pp. 125-132.

Dani, A. & Han, A. (2008). *New frontiers of social policies. Inclusive states. Social policies and structural inequalities*. The World Bank.

Davis, S., Uquillas, J. & Eltz, M. (2004). Lessons of indigenous development in Latin America. The proceeding of a World Bank workshop on indigenous peoples development. *Indigenous Peoples Development Series. Sustainable Development Working Paper N^o. 20*. The World Bank.

Dias Jr., C., Verona, A, Pena, J. and Coelho, G. (2010). Desigualdades demográficas e socioeconômicas entre brancos e indígenas no Brasil. *Redes*, 15 (2), p.p. 50-65.

Durie, M. (2011). *Nga Tini Whetu: navigating Maori futures*. Wellington, NZ. Huia Publishers.

Escobar, A. (1995a). Imagining a post-development era. Crush, J. (Ed). *Power of development*. London. Routledge.

Escobar, A. (1995b) Encountering development: the making and unmaking of the Third World. Princeton University Press.

Esteva, G. (1992). Development. W. Sachs (ed.) *The development dictionary*. pp. 6-25.

- Fernandes, E. (2007a). Implementing the urban reform agenda in Brazil. *Environment & Urbanization*. International Institute for Environment and Development (IIED). Vol. 19 (1), pp. 177-189.
- Fernandes, E. (2007b). Constructing the “right to the city” in Brazil. *Social & Legal Studies*. 16 (2), pp. 201-219.
- Ferreira, A. & Pedrosa, L. (2010). Famílias indígenas não aldeadas urbanas no Triângulo Mineiro e Alto Paranaíba. *Em Extensão* 9 (2), pp. 36-41.
- Figueira Jr., A. & Ferreira, M. (2007). A urbanização em populações: estilo de vida, saúde e atividade física em grupos indígenas. *Revista Brasileira de Ciências da Saúde*, 13, pp. 9-14.
- Fisher, W. (1994). Megadevelopment, environmentalism, and resistance: the institutional context of Kayapó indigenous politics in central Brazil. *Human Organization*. Society for Applied anthropology, 53 (3), pp. 220-232.
- Freeman, M. (1995). Are there collective human rights? *Political Studies* 43(1), pp. 25-40.
- FUNAI (Fundação Nacional do Índio). (2012a). *Official website: Attributions and mission*. Retrieved October, 19, 2012 from <http://www.funai.gov.br/index.html>.
- FUNAI (Fundação Nacional do Índio). (2012b). *Official website: O Índio: Pankararu*. Retrieved October, 19, 2012 from <http://portal.mj.gov.br/data/Pages/MJA63EBC0EITEMIDB562134012024DBFBEA84E83537F83D0PTBRNN.htm>.
- Garlet, M., Guimarães, G., & Bellini, M. (2010). Cotas para estudantes indígenas: inclusão universitária ou exclusão escolar. *Educação* 33 (1), pp. 65-74.
- Gegeo, D. (2001). Cultural rupture and indigeneity: the challenge of (re)visioning “place” in the Pacific. *The Contemporary Pacific*, 13 (2), pp. 491-507.
- Gilbert, J. (2007). Indigenous rights in the making: the United Nations Declaration on the Rights of Indigenous Peoples. *International Journal on Minority and Group Rights*, 14, pp. 207-230.

- Guimarães, L., Grubits, S. (2007). Alcoolismo e violência em etnias indígenas: uma visão crítica da situação brasileira. *Psicologia & Sociedade*, 19 (1), pp. 45-51.
- Hall, A. (2012). The last shall be first: political dimensions of conditional cash transfers in Brazil. *Journal of Policy Practice*, 11 pp. 25-41.
- Hall, G. & Patrinos, H. (2006). *Indigenous peoples, poverty and human development in Latin America: 1994-2004*. Hall, G. & Patrinos, H (Ed.) Palgrave Macmillan. USA.
- Hamm, B. (2001). A human rights approach to development. *Human Rights Quarterly*, 23 (4), pp. 1005-1031.
- Hemming, J. (1985). *The frontier after a decade of colonisation*. Manchester University Press. USA.
- Hujo, K. & Gaia, E. (2011). Guest Editorial. Social policy and poverty: an introduction. *International Journal of Social Welfare*, 20, pp. 230-239.
- IBGE (Instituto Brasileiro de Geografia e Estatística). (2008). *Notas técnicas: história da investigação sobre cor ou raça nas pesquisas domiciliares do IBGE*. Retrieved July 16, 2012, from http://www.ibge.gov.br/home/estatistica/populacao/caracteristicas_raciais/notas_tecnicas.pdf.
- IBGE (Instituto Brasileiro de Geografia e Estatística). (2010). *Aglomerados subnormais: Primeiros resultados*. Retrieved July 19, 2012 from http://www.ibge.gov.br/home/estatistica/populacao/censo2010/aglomerados_subnormais/tabelas_pdf/tab1.pdf
- IBGE (Instituto Brasileiro de Geografia e Estatística). (2011a). *Indicadores Sociais Municipais 2010: incidência de pobreza é maior nos municípios de porte médio*. Retrieved July 19, 2012 from http://www.ibge.gov.br/home/presidencia/noticias/noticia_visualiza.php?id_noticia=2019&id_pagina=1.
- IBGE (Instituto Brasileiro de Geografia e Estatística). (2011b). *Indicadores Sociais Municipais: uma análise dos resultados do universo do Censo Demográfico: Tabelas de Resultados*. Retrieved July 19, 2012 from

http://www.ibge.gov.br/home/estatistica/populacao/censo2010/indicadores_sociais_municipais/indicadores_sociais_municipais_tab_pdf.shtm.

IBGE (Instituto Brasileiro de Geografia e Estatística). (2011c). *Distribuição de rendimento permanece desigual*. Retrieved July 19, 2012 from http://www.ibge.gov.br/home/presidencia/noticias/noticia_visualizaph?id_noticia=2017&id_pagina=1

IBGE (Instituto Brasileiro de Geografia e Estatística). (2012a). *Censo Demográfico de 2010. Características gerais dos indígenas: resultados do universo*. Rio de Janeiro, Brasil.

IBGE (Instituto Brasileiro de Geografia e Estatística). (2012b). *Os indígenas no censo demográfico 2010: primeiras considerações com base no quesito cor ou raça*. Retrieved July 19, 2012 from http://www.ibge.gov.br/indigenas/indigena_censo2010.pdf.

IPEA (Instituto de Pesquisas Econômicas Aplicadas). (2007). Habitação. *Políticas sociais: acompanhamento e análise*, pp. 279-302.

ILO (International Labour Organization). (2011). *Convention No. 107*. Retrieved January 31, 2012, from <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C107>

ILO (International Labour Organization). (2011). *Convention No. 169*. Retrieved January 31, 2012, from <http://www.ilo.org/indigenous/Conventions/no169/lang-en/index.htm>

IMF (International Monetary Fund). (2012). Report for Selected Countries and Subjects. Retrieved July 20, 2012 from <http://www.imf.org/external/pubs/ft/weo/2012/01/weodata/weorept.aspx?sy=2009&ey=2011&scsm=1&ssd=1&sort=country&ds=.&br=1&c=193%2C273%2C223%2C156%2C924%2C922%2C534%2C158%2C111%2C542&s=NGDPD&grp=0&a=&pr.x=71&pr.y=6=Figures>.

IOM (International Organization for Migration). (2008). *Indigenous routes: a framework for understanding indigenous migration*. Retrieved in January 31,

2012, from http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/Indigenous_route_final.pdf.

ISA (Intituto Socioambiental). (2012). *Os Pankararu em São Paulo*. Retrieved October, 1, 2012, from <http://pib.socioambiental.org/pt/povo/pankararu/> 883.

Justino, P., Litchfield, J. & Niimi, Y. (2004). Multidimensional inequality: an empirical application to Brazil. *Poverty Research Unit at Sussex – PRUS Working Paper n^o 24*. University of Sussex.

Kingston, J. (1954). Alguns aspectos demográficos e econômicos da agricultura no Brasil. *Revista Brasileira de Estatística*. 15 (58), pp. 69-75.

Klintowitz, D. (2011). Como as políticas habitacionais se inserem nos contextos de reforma do estado? A experiência recente do Brasil. *Revista Pensamento & Realidade*, 26(3), pp. 101-120.

Kock, L. (1992). Interview with Gayatri Chakravorty Spivak: new nation writers conference in South Africa. *ARIEL: A Review of International English Literature*, 23 (3), pp. 29-47.

Laurie, N., Andolina, R., R & Radcliffe, S. (2005). Ethnodevelopment: social movements creating experts and professionalising indigenous knowledge in Ecuador. *Antipode*, pp. 471-496.

Lazzari, M. D. (2010). *Comunidade Kaingang Por Fi: indígenas no espaço urbano e o olhar da imprensa*. Diploma Monography. Universidade Feevale. Retrieved October, 2, 2012, from <http://ged.feevale.br/bibvirtual/Monografia/MonografiaMariliaLazzari.pdf>

Litaiff, A. (2008). “Sem tekoa não há teko – sem terra não há cultura”: estudo e desenvolvimento autosustentável de comunidades indígenas Guarani. *Espaço Ameríndio*, 2 (2), pp. 115-123.

Little, P. (2005). Indigenous peoples and sustainable development subprojects in Brazilian Amazonia: the challenges of interculturality. *Law & Policy*. 27 (3), pp. 450-469.

- Maaka, R. & Fleras, A. (2005). *The politics of indigeneity. Challenging the State in Canada and Aotearoa New Zealand*. Dunedin, NZ. University of Otago Press.
- Maggie, Y. (2011, November, 18). Racismo e Censo. *Jornal da Globo*. Retrieved July 18, 2012 from <http://g1.globo.com/platb/yvonnemaggie/2011/11/18/racismo-e-censo/>.
- Marschke, M., Szablowski, D., Vandergeest, P. (2008). Engaging indigeneity in development policy. *Development Policy Review*, 26 (4), pp. 483-500.
- Marti i Puig, S. (2010). The emergence of indigenous movements in latin America and their impact on the Latin American political scene. Interpretive tools at the local and global level. *Latin American Perspectives*, 37 (6), pp. 74-92.
- Martine, G. & McGranahan, G. (2010). A transição urbana brasileira: trajetória, dificuldades e lições aprendidas. Baeninger, R. (Ed.) *População e Cidades: subsídios para o planejamento e para as políticas sociais*. pp. 11-24.
- McMichael, P. (2008). Development and social change. A global perspective. *Instituting the Development Project*. Sage, Chapter 2, pp. 25-54.
- MEC (Ministry of Education). (2007). Estatísticas de Educação Indígena no Brasil (Statistics on Indigenous Education in Brazil). *Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira – INEP*. Brasília, Distrito Federal.
- MDS (Ministry of Social Development). (2010). *Acompanhamento de condicionalidades de indígenas e quilombolas*. Retrieved July, 20, 2012 from http://www.mds.gov.br/biblioteca/secretaria-de-avaliacao-e-gestao-de-informacao-sagi/cadernos-de-estudos/relatorio-de-condicionalidades-2013-ano-de-2008/Relatorio_Condicionalidades_2008_Final.pdf
- MDS (Ministry of Social Development). (2011). *Plano Brasil sem Miséria. (Brazil without extreme poverty plan: a year of results)*. Retrieved in July 19, 2012 from http://www.brasilsemiseria.gov.br/documentos/mds_revista_ingles.pdf
- MDS (Ministry of Social Development). (2012a). *Programa Bolsa Família*. Retrieved July, 20, 2012 from <http://www.mds.gov.br/bolsafamilia/>.

- MDS (Ministry of Social Development). (2012b). *Bolsa Família repassa cerca de R\$ 10 milhões para comunidades indígenas*. Retrieved July, 20, 2012 from <http://www.brasil.gov.br/noticias/arquivos/2011/04/19/bolsa-familia-repassa-cerca-de-r-10-milhoes-para-comunidades-indigenas>
- MDS (Ministry of Social Development). (2012c). *Bolsa Família repassa cerca de R\$ 10 milhões para comunidades indígenas*. Retrieved July, 20, 2012 from <http://www.brasil.gov.br/noticias/arquivos/2011/04/19/bolsa-familia-repassa-cerca-de-r-10-milhoes-para-comunidades-indigenas>
- Mussi, V. (2008). Tronco velho ou ponta da rama? A mulher indígena Terena nos entrelugares da fronteira urbana. *Patrimônio e Memória*, 4 (1) pp. 1-18.
- Mussi, V. (2011). Questões indígenas em contextos urbanos: outros olhares, novas perspectivas em semoventes fronteiras. *História Unisinos*, 15 (2) pp. 206-215.
- Nakashima, E. K. (2009). *Reatando as pontas da rama: a inserção dos alunos da etnia indígena Pankararu em uma escola pública na cidade de São Paulo*. Master Thesis. University of Sao Paulo. Retrieved February 15, 2013, from Serviço de Biblioteca e Documentação da faculdade de Educação da Universidade de Sao Paulo.
- Nakashima, E. K., & Albuquerque, M. A. S. (2011). A cultura política da visibilidade: os Pankararu na cidade de São Paulo (The cultural politics of visibility: the city of Sao Paulo). *Revista Estudos Históricos*, 24 (47) pp. 181-201.
- Niezen, R. (2003). *The origins of indigenism. Human rights and the politics of identity. California*. University of California Press, Ltd.
- Paes de Barros, R., Henriques, R., & Mendonça, R. (2001). A estabilidade inaceitável: desigualdade e pobreza no Brasil. Texto Para Discussão N^o 800. *IPEA – Instituto de Pesquisa Econômica Aplicada*.
- Pallemaerts, M. (1986). Development, conservation, and Indigenous rights in Brazil. *Human Rights Quarterly*, Vol. 8 (3), 374-400.

- Paradies, Y. (2006). Beyond black and white. Essentialism, hybridity and indigeneity. *Journal of Sociology*, 42 (4), pp. 355-367.
- Partridge, W.; Uquillas, J. & Johns, K. (1996). Including the excluded: ethnodevelopment in Latin America. The World Bank Latin America and the Caribbean Technical Department Environment Unit (Ed.), *Proceedings of the Annual World Bank conference on Development in Latin America and the Caribbean*. Bogotá, Colômbia: The World Bank.
- Patrinos, H. (2000). The cost of discrimination in Latin America. *Studies in Comparative International Development Summer 2000*, 35 (2), pp. 3-17.
- Perz, S. G., Warren, J., & Kennedy, D. P. (2008). Contributions of racial-ethnic reclassification and demographic processes to indigenous population resurgence: the case of Brazil. *Latin American Research Review*, 43 (2), pp. 7-33.
- PNAD (Pesquisa Nacional por Amostra de Domicílios). (2009). Síntese dos Indicadores. Retrieved July 19, 2012, from http://www.ibge.gov.br/home/estatistica/populacao/trabalhoerendimento/pnad2009/pnad_sintese_2009.pdf
- Peters, E. (2011). Still invisible: enumeration of indigenous peoples in census questionnaires internationally. *Aboriginal Policy Studies – APS*, 1 (2), pp. 68-100.
- Pradella, L. S. & Saldanha, J. R. (2008). A presença Kaingang no Morro do Osso entre diferentes perspectivas sócio-discursivas. *Espaço Ameríndio*, 2(2), pp. 52-82.
- Ramos A., Osorio, R., & Pimenta, J. (2009). Indigenising development. International Policy Centre for Inclusive Growth (IPC-IG). *Poverty in focus*. pp. 3-5.
- Ramos, V. (2010, September, 25). Incêndio atinge indígenas na favela Real Parque. *Brasil de Fato Newspaper*. Retrieved October, 19, 2012 from <http://www.brasildefato.com.br/node/1615>
- Ravallion, M. (2009) A comparative perspective on poverty reduction in Brazil, China and India. *Policy Research Working Paper 5080*. The World Bank Development Research Group.

- Ribeiro, D. (2009). *Os índios e a civilização: a integração das populações indígenas no Brasil moderno*. São Paulo. Companhia das Letras.
- Rolnik, R. (2009). Democracia no fio da navalha: limites e possibilidades para a implementação de uma agenda de reforma urbana no Brasil. *Revista Brasileira de Estudos Urbanos e Regionais*, 11 (2), pp. 31-50.
- Rolnik, R. & Klink, J. (2011). Crescimento econômico e desenvolvimento urbano: por que nossas cidades continuam tão precárias? *Novos Estudos*, pp. 89-109.
- Rout, L. (1999). Brazil, study in black, brown and beige. Levine, R. & Crocitti, J. (Eds). *The Brazil Reader: history, culture, politics*. pp. 365-373. Duke University Press.
- Schwingel, L. (2004). *Povos indígenas e políticas públicas da assistência social no Rio Grande do Sul. Subsídios para a construção de políticas públicas diferenciadas às comunidades Kaingang e Guarani*. Secretaria do Trabalho, Cidadania e Assistência Social – STCAS do Estado do Rio Grande do Sul. Retrieved in Jul 20, 2012 from <http://www.comin.org.br/news/publicacoes/1206992592.pdf>
- Sidaway, J. (2008). Post-development. In V. Desai & R. Potter (Eds). *The Companion to Development Studies*. pp. 16-20. London: Hodder Education.
- Silva Filho, J. C. (2007). A repersonalização do direito civil em uma sociedade de indivíduos: o exemplo da questão indígena no Brasil. Retrieved in September 12, 2012, from http://www.conpedi.org.br/manaus/arquivos/anais/bh/jose_carlos_moreira_da_silva_filho.pdf
- Skidmore, T.E. (2003). Racial mixture and affirmative action: the cases of Brazil and the United States. *The American Historical Review*, 108 (5), pp. 1391-1396.
- Slater, D. (1993). The geopolitical imagination and the enframing of development, 18 (4), pp. 419-437. *Wiley-Blackwell*.
- Souza, M., & Garnelo, L. (2006). Desconstruindo o alcoolismo: notas a partir da construção do objeto de pesquisa no contexto indígena. *Revista Latinoamericana de Psicopatologia Fundamental*, 9 (2), pp. 279-292.

- Sousa, V., Moura, M., & Mai, L. (2012). Saúde indígena urbana: interface entre ações estatais e não estatais. *CESUMAR*. 14 (1), p.p. 87-98.
- Spivak, G. C. (1988). Can the subaltern speak? C. Nelson & L. Grossberg (Eds.) *Marxism and the Interpretation of Culture*, pp. 271-313.
- Stavenhagen, R. (2006). *Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples* (Report to the Commission on Human Rights, Economic and Social Council of the United States).
- Stavenhagen, R. (2009a). Indigenous peoples as new citizens of the world. *Latin American and Caribbean Ethnic Studies*, 4 (1) pp. 1-15. Routledge.
- Stavenhagen, R. (2009b). Making the declaration work. Charters, C & Stavenhagen, R. (Eds). *Making the declaration work: the United Nations Declaration on the Rights of Indigenous Peoples*. pp. 352-371 Copenhagen. IWGIA.
- Stavenhagen, R. (2011). How strong are the rights of indigenous peoples? *Journal of Human Rights*, 10 (3), pp. 414-421.
- Stephens, C.; Porter, J. Nettleton, C. & Willis, R. (2006). Disappearing, displaced, and undervalued: a call to action for indigenous health worldwide. *Lancet* 367, 2019-2028.
- Sweig, J. (2010). *A new global player: Brazil's far-flung agenda*. Foreign Affairs, Retrieved June, 15, 2012 from <http://www.foreignaffairs.com/articles/66868/julia-e-sweig/a-new-global-player>.
- The Declaration on the Right to Development*. (n.d.). Retrieved June, 15, 2012, from <http://www.un.org/documents/ga/res/41/a41r128.htm>
- The Universal Declaration of Human Rights* (n.d.). Retrieved March 09, 2012, from <http://www.un.org/en/documents/udhr/>
- The World Bank. (2004). *Inequality and economic development in Brazil*. Retrieved June, 15, 2012 from <http://www-wds.worldbank.org/servlet/WDSContentServer/>

WDSP/IB/2004/10/05/000012009_20041005095126/Rendered/PDF/301140PAPER0Inequality0Brazil.pdf

Thornberry, P. (2002). *Indigenous peoples and human rights*. Manchester, UK. Manchester University Press.

UNDRD (United Nations Declaration on the Right to Development). (1986). Retrieved June, 15, 2012, from <http://www.un.org/documents/ga/res/41/a41r128.htm>

UNDP (United Nations Development Program). (2000). *Human Development Report 2000*. Oxford University Press, Inc. New York

UNFPA (United Nations Population Fund). (2007). *State of world population 2007: unleashing the potential of urban growth*. Retrieved in September, 11, 2012, from <http://www.unfpa.org/swp/2007/english/introduction.html>.

UN Habitat (United Nations Human Settlements Programme). (2007). *State of the world's cities report 2006/2007*. Retrieved in September, 11, 2012, from <http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=4&sqi=2&ved=0CDoQFjAD&url=http%3A%2F%2Fwww.unhabitat.org%2Fpmss%2FgetElectronicVersion.aspx%3Fnr%3D2101%26alt%3D1&ei=oX9OUNqDAqmDmQWB4oAg&usg=AFQjCNGyZbshCwcebyi-P9VO5uHsB929Vw>.

UN Habitat (United Nations Human Settlements Programme). (2009). *Housing indigenous peoples in cities. Urban policy guide for indigenous peoples*. Retrieved January, 31, 2012, from <http://www.google.com.br/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=7&ved=0CHkQFjAG&url=http%3A%2F%2Fwww.unhabitat.org%2Fpmss%2FgetElectronicVersion.asp%3Fnr%3D3113%26alt%3D1&ei=UQArUZqjFIyziQeA1IGoCA&usg=AFQjCNE4mHB8aIBQKEzzY1U1Y9gGrZh-Ew&sig2=Q2F7bTelSNYcY1VqSjnF0A>.

UN Habitat (United Nations Human Settlements Programme). (2010). *Urban indigenous peoples and migration: a review of policies, programmes and practices*. UN Housing Rights Programme, Report No 8. Retrieved January, 31, 2012, from <http://www.unhabitat.org>.

- UNPFII (United Nations Permanent Forum on Indigenous Issues). (2008). *State of the world's indigenous peoples*. Retrieved May 08, 2012, from http://www.un.org/esa/socdev/unpfii/documents/SOWIP_web.pdf.
- Uquillas, J. (2004). The indigenous and afro-Ecuadorian peoples development project (PRODEPINE I). Indigenous Peoples Development Series: lessons of indigenous development in Latin America. *The Proceeding of a World Bank Workshop on Indigenous Peoples Development*. Sustainable Development Working paper N^o. 20, pp. 53-61
- Vieira, C., Ferreira, S., Nascimento, A. (2012). *A criança indígena urbana e as escolas municipais de Campo Grande/MS: uma cartografia preliminar da questão*. NEPPI.
- Vitte, C. (2010). Cidadania, qualidade de vida e produção do espaço urbano: desafios para a gestão urbana e para o enfrentamento da questão social. Baeninger, R. (Ed.) *População e Cidades: subsídios para o planejamento e para as políticas sociais*. pp. 79-97.
- Warren, J. (2001). *Racial revolutions: antiracism and indian resurgence in Brazil*. Duke University Press. Durham:NC.
- Wiessner, S. (2009). *United Nations Declaration on the Rights of Indigenous Peoples*. United Nations Audiovisual Library of International Law. Retrieved November 5, 2012 from http://untreaty.un.org/cod/avl/ha/ga_61-295/ga_61-295.html
- Wilcox, R. (1992, September 24-27). *Ranching and native peoples in Mato Grosso, Brasil, 1870-1940*. Paper presented at the 1992 Latin America Studies Association Annual Conference. Retrieved February 15, 2013, from <http://lasa.international.pitt.edu.ezproxy.massey.ac.nz/members/congress-papers/lasa1992/files/WilcoxRobert.pdf>.

Appendix 1

Consultation – FUNAI (National Indigenous Foundation)



MINISTÉRIO DA JUSTIÇA
Fundação Nacional do Índio
Diretoria de Promoção ao Desenvolvimento Sustentável
Coordenação Geral de Promoção dos Direitos Sociais/CGPDS
Coordenação de Proteção Social
SEPS 702/902 - Ed. Lex, 2º andar, Cep: 70240-904 - Brasília-DF
Fone: (61) 3313-3533 - Fax: (61) 3313-3854 - e-mail: dps@funai.gov.br

DESPACHO N.º 097/COPS/CGPDS/DPDS/2012.

À Diretoria de Promoção ao Desenvolvimento Sustentável – DPDS.

Referente: Protocolo nº. 08850001514/2012-25

Assunto: **Esclarecimento para o SIC/FUNAI, Ref. Despacho n.º 117/SIC/OUVI-PRES-FUNAI-2012, de 27 de agosto de 2012.**

Senhora Diretora,

1. Vimos prestar os esclarecimentos solicitados pela Sr.ª **SORAYA SOUZA ZAIDEN**, por meio do SIC/FUNAI, protocolado sob o número 08850001514/2012-25. A questão refere-se a *“políticas sociais vigentes especialmente formatadas para atendimento da população indígena habitante em áreas urbanas”*.
2. Em primeiro lugar, destacamos que cabe à FUNAI a proteção e promoção dos direitos dos povos indígenas em todo o território nacional, conforme o Decreto nº 7.778/2012, independentemente da condição e local de moradia, se o indígena vive ou não em terra indígena, em contexto rural ou urbano, e assim por diante. Além disso, a Constituição Federal de 1988 assegura a todos os cidadãos – indígenas ou não – a liberdade de locomoção e residência.
3. Segundo o Censo IBGE 2010, cerca de 325 mil indígenas (324.834) viviam em domicílios em situação urbana. A migração de indígenas de suas terras tradicionais para as cidades é um fenômeno complexo e sobre o qual ainda não existem estudos suficientes. Como possíveis fatores da migração, podemos elencar: invasões de suas terras tradicionais; conflitos interétnicos; violência; ausência de regularização fundiária; busca por melhores condições de vida; acesso aos direitos sociais como educação, saúde, moradia; escolhas pessoais, entre outros fatores.

4. Entretanto, muitas vezes é difícil caracterizar univocamente um determinado setor como rural ou urbano. Atualmente existem terras indígenas dentro de cidades, como em Campo Grande-MS, por exemplo, e cerca de 26 mil indígenas viviam em Terras Indígenas classificadas como setores em situação urbana, o que torna mais problemática a classificação rural-urbano praticada pelo IBGE.

5. A Coordenação-Geral de Promoção dos Direitos Sociais desenvolve uma série de ações que possuem como beneficiários indígenas em contexto urbano, dentre elas: ações de promoção do acesso à documentação básica, acesso a benefícios sociais e previdenciários, distribuição de cestas de alimentos a grupos em situação de insegurança alimentar, acompanhamento e monitoramento das ações de atenção à saúde dos povos indígenas, apoio à mobilização social de organizações indígenas, entre outras. Entretanto, não existem políticas e programas desenhados especificamente para indígenas de acordo com o seu local de moradia.

6. Assim, **não possuímos informações** sobre a identificação dos programas e políticas sociais destinados à população indígena habitante em áreas urbanas, valores orçamentários, valores efetivamente realizados, número de beneficiários (especificados por gênero e condição de vulnerabilidade) ou número de indígenas habitantes em áreas urbanas em ocupação irregular.

Atenciosamente,


PAULO EUGENIO CLEMENTE JUNIOR
Indigenista Especializado

Brasília/DF, 31 de agosto de 2012.

De acordo, encaminhe-se à CGPDS,


FRANCISCO OLIVEIRA DE SOUSA
Coordenador de Proteção Social

Appendix 2

Consultation – Ministry of Health

Response to consultation provided by the Special Secretariat for Indigenous Health of the Ministry of Health

Prezado (a) Sr.(a) SORAYA SOUZA ZAIDEN

O Serviço de Informação ao Cidadão (SIC) do Ministério da Saúde já dispõe das informações solicitadas por Vossa Senhoria, segue abaixo os esclarecimentos solicitados:

1. Em atenção à solicitação de vossa senhoria, inserida no serviço de informação ao cidadão deste ministério, sob o número 605548, em 10/9/2012, cujo teor requer esclarecimentos dos programas e políticas sociais destinadas à população indígena residente em áreas urbanas, esclareço o que se segue.
2. Segundo previsão estatuída no capítulo V da lei sanitária nº 8.080/90, o distrito sanitário especial indígena é base do subsistema de atenção à saúde indígena- sasisus, e este compõe o sistema único de saúde – SUS.
3. Resta consagrado, ainda, no sobredito capítulo, que o SUS servirá de retaguarda e referência ao subsistema indígena, de forma a dispor atendimento universal e integral em todos os níveis de atenção à população indígena.
4. Ademais, o Decreto nº 7.508/2011, preconiza no § único do artigo 11, acesso diferenciado ao SUS à população indígena, não trazendo restrição à localização geográfica desse público, ou seja, o não aldeado terá acesso ao sistema público de saúde brasileiro.
5. O sistema único de saúde criado por dispositivo constitucional, com intuito de disponibilizar ações e serviços de saúde aos brasileiros e estrangeiros residentes, de forma universal, integral e igualitário
6. Ressalto que o presente entendimento foi recepcionado pelo judiciário, que em sentença exarada na ação civil pública 2008.38.13.006491-8, julgou improcedente o pedido do ministério público federal, do qual colaciono excerto: “registre-se que limitar o atendimento do subsistema de atenção à saúde indígena aos índios aldeados não significa afronta à proteção constitucional devida aos índios que não se encontram vivendo em comunidade, porquanto sua proteção à saúde está legalmente assegurada pela Lei 9.836/99, por meio de ações atribuídas ao sus...”.
7. Assim, é possível concluir que a população indígena, residente em áreas urbanas, é recepcionada regularmente pelo SUS, o que torna desrazoável o estabelecimento de políticas e programas específicos direcionados a este grupo populacional.

atenciosamente,

VERBENA LUCIA MELO GONÇALVES

CHEFE DE GABINETE

Ministério da Saúde

Secretaria Especial de Saúde indígena

Serviço de Informação ao Cidadão-SIC

Appendix 3

Consultation – Ministry of Education

Response to consultation provided by the Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira – INEP, subordinated to the Ministry of Education

Dados da Resposta

Data de resposta 17/09/2012

Tipo de resposta Informações enviadas pelo correio eletrônico (e-mail)

Resposta

Informamos que, para os pedidos que exigem a consolidação e o tratamento de dados relativos aos Censos produzidos pelo Inep, contamos com o atendimento via e-mail no correio eletrônico dis@inep.gov.br.

Serviço de Informação ao Cidadão – INEP

Centro de Informação e Biblioteca em Educação – CIBEC

Edifício sede do Ministério da Educação

Esplanada dos Ministérios, Bloco L, Térreo

CEP: 70.047-900 – Brasília/DF

e-SIC: <http://www.acessoinformacao.gov.br/sistema/>

Site: <http://portal.inep.gov.br/>

Classificação do Pedido

Categoria do pedido Educação

Subcategoria do pedido Sistema educacional -

Avaliação

Número de perguntas 1

Anexos

Dados do Pedido

Protocolo 23480016578201270

Solicitante SORAYA SOUZA ZAIDEN

Data de abertura 27/08/2012

Orgão Superior Destinatário MEC - Ministério da Educação

Orgão Vinculado Destinatário Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira - INEP

Prazo de atendimento 08/10/2012

Situação Respondido

Status da Situação Informações enviadas pelo correio eletrônico (e-mail)

Forma de recebimento da resposta Correspondência eletrônica (e-mail)

Descrição Solicito as informações listadas a seguir:

- Quantidade de escolas indígenas atualmente existentes em áreas urbanas, segregadas por estado e município;
- Quantidade de estudantes matriculados em escolas indígenas urbanas, segregado por idade, gênero, estado e município;
- Percentual de evasão escolar relativo a estudantes indígenas em escolas indígenas urbanas, segregado por idade, gênero, estado e município;
- Quantidade de estudantes indígenas matriculados em universidades brasileiras, segregado por gênero, estado, município e instituição educacional.
- Quantidade de professores indígenas contratados para o exercício do magistério em escolas indígenas urbanas, segregado por estado e município.

Histórico do Pedido

Data do evento Descrição do evento Responsável

27/08/2012 Pedido Registrado para o Órgão Instituto Nacional de Estudos e Pesquisas
Educaionais Anísio Teixeira - INEP

SOLICITANTE

17/09/2012 Pedido Reencaminhado para o Órgão Instituto Nacional de Estudos e Pesquisas
Educaionais

Anísio Teixeira - INEP

MEC - Ministério da Educação

17/09/2012 Pedido Respondido MEC - Ministério da Educação/Instituto
Nacional de Estudos e Pesquisas

Educaionais Anísio Teixeira - INEP

Dados da Recurso de 1ª Instância

Órgão Superior Destinatário MEC - Ministério da Educação

Órgão Vinculado Destinatário Instituto Nacional de Estudos e Pesquisas Educaionais Anísio
Teixeira -

INEP

Data de Abertura 17/09/2012

Prazo de Atendimento 24/09/2012

Tipo de Recurso Informação recebida não corresponde à solicitada

Justificativa

A informação prestada pelo INEP, após transferência da demanda pelo MEC, qual seja,
"Informamos assim que este pedido será encerrado e, solicitamos a gentileza de encaminhar sua
demanda para o canal de atendimento já oferecido: dis@inep.gov.br" não corresponde às
solicitadas.

Reitero o pedido contido na presente demanda.

atenciosamente

Soraya Zaiden

Resposta Recurso

Data da Resposta 21/09/2012

Prazo Limite para Recurso 03/10/2012

Tipo Resposta Indeferido

Justificativa

Informamos que o Artigo 12, inciso III do Decreto 7724 determina que “não serão atendidos
pedidos de acesso à informação que exijam trabalhos adicionais de análise de dados e
informações, ou serviço de produção ou tratamento de dados que não seja de competência do
órgão”.

Entretanto, esclarecemos que para este tipo de tratamento de dados o Inep dispõe do canal de
atendimento “DIS” dis@inep.gov.br, responsável pela disseminação de dados relacionados aos
censos da educação básica e superior.

Comunicamos que seu pedido já foi encaminhado ao “DIS” e está sob a responsabilidade do
Servidor Clodoaldo Lemes.

Informamos assim que este pedido de informação no SIC será encerrado e, solicitamos a
gentileza de encaminhar sua demanda para o canal de atendimento já oferecido:

dis@inep.gov.br. Caso não se sinta atendido(a) por este meio, pedimos que nova demanda seja
aberta no sistema e-SIC.

Appendix 4

Consultation – Ministry of Cities

Response to consultation provided by the National Department of Housing of the Ministry of Cities

Dados da Resposta

Data de resposta 13/08/2012

Tipo de resposta Informações enviadas pelo correio eletrônico (e-mail)

Resposta Prezada,

não temos os dados solicitados, "quantidade de contratação realizada para mutuário de origem indígena". Segue em anexo, a quantidade de unidades habitacionais contratadas e o valor de investimento dessas unidades, segregada por município.

Informamos que a resposta é cabível de recurso, caso contestada, em até no máximo 10 dias a contar do recebimento desta.

Classificação do Pedido

Categoria do pedido Habitação, Saneamento e Urbanismo

Subcategoria do pedido Habitação

Número de perguntas 2

Anexos

Cópia de 00077000509201219_Dados por Município.xls

Dados do Pedido

Protocolo 00077000509201219

Solicitante SORAYA SOUZA ZAIDEN

Data de abertura 30/07/2012

Órgão Superior Destinatário MCIDADES - Ministério das Cidades

Órgão Vinculado Destinatário

Prazo de atendimento 27/08/2012

Situação Respondido

Status da Situação Informações enviadas pelo correio eletrônico (e-mail)

Forma de recebimento da resposta Correspondência eletrônica (e-mail)

Descrição Solicito-lhes informarem-me os seguintes dados:

Programa Minha Casa Minha Vida: Quantidade de contratações realizadas para mutuário de origem indígena e Valor total contratado, segregado por estado e município.

Programa Fome Zero: Quantidade de famílias indígenas cadastradas, quantidade de pessoas (indígenas) beneficiadas, e valor total recebido, segregado por estado e município.

Histórico do Pedido

Data do evento Descrição do evento Responsável

30/07/2012 Pedido Registrado para o Órgão MCIDADES - Ministério das Cidades

SOLICITANTE

30/07/2012 Pedido em Atendimento PR - Palácio do Planalto/CC-PR - Casa Civil da Presidência da República

30/07/2012 Pedido Reencaminhado para o Órgão MCIDADES - Ministério das Cidades PR - Palácio do Planalto/CC-PR - Casa Civil da Presidência da República

03/08/2012 Pedido Reencaminhado para o Órgão MCIDADES - Ministério das Cidades MP - Ministério do Planejamento, Orçamento e Gestão

13/08/2012 Pedido Respondido MCIDADES - Ministério das Cidades

Appendix 5

Consultation – Ministry of Social Development

Response to consultation provided by the Citizen Information Service – CIS
Ombudsman of the Ministry of Social Development

Dados da Resposta

Data de resposta 06/09/2012

Tipo de resposta Resposta disponível no sistema

Resposta Prezada Senhora Soraya Souza Zaiden,

Em atenção à sua solicitação, informamos que a encaminhamos ao setor responsável deste Ministério e dele obtivemos a resposta de que seu pleito foi atendido, mediante envio de e-mail no dia 29/08/2012. De qualquer forma, enviamos o arquivo elaborado pelo setor responsável, contendo os dados solicitados. Na ocasião, agradecemos o contato e nos colocamos à disposição.

Atenciosamente,

Serviço de Informações ao Cidadão – SIC

Ouvidoria/SE

Ministério do Desenvolvimento Social e Combate à Fome – MDS

Classificação do Pedido

Categoria do pedido Pessoa, família e sociedade Subcategoria do pedido Comunidade e sociedade

Anexos

Indígenas_SIC.xlsx

Dados do Pedido

Protocolo 71200000119201216

Solicitante SORAYA SOUZA ZAIDEN

Data de abertura 18/08/2012

Órgão Superior Destinatário MDS - Ministério do Desenvolvimento Social e Combate à Fome

Órgão Vinculado Destinatário

Prazo de atendimento 10/09/2012

Situação Respondido

Status da Situação Resposta disponível no sistema

Forma de recebimento da resposta Correspondência eletrônica (e-mail)

Descrição Solicito as seguintes informações referente ao Programa Bolsa Família, relativo ao presente exercício (2012):

- Quantidade de indígenas beneficiários segregados por: gênero(número de mulheres indígenas cadastradas, número de homens indígenas cadastrados)

- Localização (número de mulheres indígenas cadastradas na área rural e na área urbana / número de homens indígenas cadastrados na área rural e na área urbana)

Solicito ainda informarem-me os estados/municípios dos beneficiários indígenas cadastrados no PBF.

Cordialmente

Soraya Zaiden

Histórico do Pedido

Data do evento Descrição do evento Responsável

18/08/2012 Pedido Registrado para o Órgão MDS - Ministério do Desenvolvimento Social e Combate à Fome

SOLICITANTE - 06/09/2012 Pedido Respondido MDS - Ministério do Desenvolvimento Social e Combate à Fome

Indigenous rights and development :
inequality constraints in Brazilian cities : a
thesis presented in partial fulfilment of the
requirement for the degree of Master of
International Development at Massey
University, Palmerston North, New Zealand

Souza Zaiden, Soraya

2013

<http://hdl.handle.net/10179/7343>

14/03/2024 - Downloaded from MASSEY RESEARCH ONLINE