

## **Identity, difference, and recognition: a look at the indigenous women's movements in Brazil and the agenda for the fight against gender-based violence**

*Identidade, diferença e reconhecimento: um olhar sobre os movimentos de mulheres indígenas no Brasil e a pauta de enfrentamento à violência de gênero*

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Article received in 03/04/2021 and accepted in 11/17/2021.



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### Abstract

Based on theoretical literature on identity, difference, recognition, and social movements, this article aims to investigate how indigenous women's movements in Brazil are articulated. It also investigates the manners in which the fight against gender-based violence is debated within these movements. Initially, the research points out the difficulty within the identity recognition field for the indigenous peoples. Secondly, it shows the paradigmatic shift represented by the Federal Constitution of 1988 in the field of social and legal recognition. Finally, it highlights the importance of the indigenous women's movements to grant the agenda for identity recognition and gender violence, reporting and searching for alternative ways against the violence suffered by indigenous women. The research resorted to the literature review method, based on deductive reasoning and on the hermeneutic and the critical/dialectical approach.

**Keywords:** Identity; Indigenous Women's Movements; Gender-based Violence.

### Resumo

A partir de aportes teóricos sobre identidade, diferença, reconhecimento e movimentos sociais, o presente artigo objetiva investigar como estão articulados os movimentos de mulheres indígenas no Brasil, bem como as formas que são debatidas a questão do enfrentamento da violência de gênero no seio desses movimentos. Inicialmente, a pesquisa aponta a dificuldade no campo do reconhecimento identitário das indígenas, após enfatiza a mudança paradigmática representada Constituição Federal de 1988 no campo do reconhecimento social e jurídico e, por fim, ressalta a importância de os movimentos de mulheres indígenas empunharem a pauta do reconhecimento identitário e da violência de gênero, denunciando e buscando alternativas contra as violências sofridas. A pesquisa valeu-se da técnica bibliográfica, a partir modo de raciocínio dedutivo e dos métodos de abordagem hermenêutico e crítico-dialético.

**Palavras-Chave:** Identidade; Movimentos de Mulheres Indígenas; Violência de gênero.



## 1. Introduction

The conditions of vulnerability and oppression of women in society have been a recurring agenda in recent times, especially in relation to issues involving gender violence - gender understood as the social role assigned to the female sex. Faced with degrading situations of human dignity, whether due to lack of identity and/or economic recognition, social movements are important tools of transformation that historically enabled the conquest and recognition of countless fundamental human rights, overcoming arbitrary practices and contexts of tyranny.

The situation is no different when analyzing the way indigenous movements operate in Brazil, which had – and still have – an essential role in defending their rights and interests. Alongside these movements, indigenous women’s movements emerge, which fight for the realization of collective rights – identity and economic –, while also bringing to the debate new specific guidelines related to women’s rights. In other words, are the general economic-political guidelines sufficient to overcome various vulnerabilities, or “within them” is it important to maintain specific guidelines, for example, revealing gender violence?

With that in mind, the research aims to reflect, based on contributions on identity, difference, recognition and social movements, how indigenous women’s movements are articulated in Brazil, and how the issue of fighting gender violence is debated within these movements. To do so, at first, the work discusses aspects of the claims for identity, difference and recognition, pointing out the difficulty in the field of indigenous identity recognition, since being a woman and belonging to an indigenous group within a colonial and patriarchal context and reveals a picture of serious oppression, deepening the gender violence. Afterwards, it advances in the debate on the role of social movements, highlighting the paradigm shift in the social and legal recognition of the various indigenous identities after the Brazilian Federal Constitution of 1988. Finally, it addresses the indigenous women’s movements in Brazil and the agenda for fighting against gender violence, underlining the importance of indigenous women’s movements to wield the agenda of identity recognition, denouncing and seeking alternatives against the violence suffered within their own communities, as well as the surrounding society. In terms of methodology, the study used the technique of bibliographic research, based on deductive reasoning and hermeneutic and critical-dialectical approaches.



## 2. Notes on identity, difference and recognition

From the central objective of this study, it is necessary to discuss, initially, the categories *identity, difference* and *recognition*, in order to be able to enter the issue of claiming them. Therefore, it is necessary to recognize that identity and difference are inseparable. Identities are marked and constituted by differences. According to Kathryn Woodward (2000), identity is relational, it is distinguished by what it is not, that is, it depends on something outside itself, on other identities that provide conditions for its existence, it depends on difference. Likewise, Stuart Hall (2000) states that identities are constructed through difference and not outside of it, and thus, only through the relationship with the Other can they be produced.

Identity was conceived in an essentialist way, as a fixed and permanent category. According to Hall (2006), this idealization becomes contested in post-modernity, in which identity becomes a *mobile celebration*, formed and transformed continuously. In this sense, it is defined historically, not biologically, so that the subject can assume different identities at different times, because “as the systems of meanings and cultural representation multiply, we are confronted by a bewildering, fleeting multiplicity of possible identities, any one of which we could identify with - at least temporarily. (HALL, 2006, p. 13). On the subject, Bauman (2005) observes that identity is revealed as something to be invented, to be freely constructed, and not to be discovered. “A cohesive, firmly riveted and solidly constructed identity would be a burden, a constraint, a limitation to the freedom to choose.” (BAUMAN, 2005, p. 60).

In harmony with the thinking of Silva (2000), the marking of difference in the processes of construction of identities occurs both through symbolic systems of representation and through forms of social exclusion, always demarcating borders: “Affirming identity means demarcating borders, it means making distinctions between what is inside and what is outside. Identity is always linked to a strong separation between ‘we’ and ‘them’” (SILVA, 2000, p. 82). Thus, it is necessary to consider that the struggles for the affirmation of identities are also surrounded by power relations, considering that “while the human subject is placed in relations of production and of signification, they are equally placed in very complex power relations” (FOUCAULT, 1995, p. 232). For Foucault, power is not simply a relationship between individual or collective partners, but a mode of action of some over others. From this point of view, the exercise of power consists of



“conducting conducts”, it is a set of actions on possible actions, it operates on the field of possibility where the behavior of active subjects is inscribed, it incites, induces, diverts, facilitates or makes more difficult, governing and structuring the possible fields of action of others, as Foucault ponders (1995).

As products of language, identity and difference cannot be understood outside the systems of meaning in which they acquire meaning and, thus, their definitions are subject to vectors of force and power, often used to privilege certain identities over others. Identity and difference are closely related to the ways in which society produces and uses classifications and, in this case, dividing and classifying means hierarchizing, which guarantees the privilege of assigning different values to different groups (SILVA, 2000). Along these lines, difference can be conceived as a source of diversity, heterogeneity and hybridity, or it can be negatively constructed by the marginalization of people who are defined as *others*, as *outsiders*”, a concept still very present in today’s society (WOODWARD, 2000). The main form of classification is structured in binary oppositions of dualisms: indigenous and non-indigenous, for example. Based on the work of Jacques Derrida, Silva (2000) observes that such binarisms do not express a simple division of the world into two symmetrical classes, since one of the terms always receives a positive value while the other a negative connotation.

Silva draws attention to the fact that “to fix a certain identity as the norm is one of the privileged forms of creation of a hierarchy of identities and differences. Normalization is one of the most subtle processes through which power manifests itself in the field of identity and difference.” (SILVA, 2000, p. 83). Following the author’s considerations, normalizing means arbitrarily electing a specific identity as a parameter, from which other identities are evaluated and ranked, situations that have recurred throughout history. Based on moral, religious, cultural and biological pseudo-justifications, certain groups began to assert their identities as superior, as standards of “normality”, disqualifying and attributing negative meanings to other differences, such as national, male, white, Christian, European, heterosexual identities, among others.

And it is in this field of disputes that indigenous peoples are inserted. This context of inferiority of identity differences engendered serious violations and deprivations of human rights, situations of marginalization and sub-citizenship that are reflected to the present day. There began to be a kind of demonization of differences, in which inferior identities are demonized as a tool of repression, oppression and imposition



of certain values propagated by dominant groups. According to Santos and Lucas, this was the case “with Muslims, women, Indians, Jews, blacks and homosexuals who, in some way, were figures that materialized the capital sins that strongly structured the Christian doctrine of salvation” (SANTOS; LUCAS, 2019, p. 24).<sup>1</sup>

Colonialism and the question of the Modern paradigm were also decisive in the processes of domination and exclusion. In the context of Latin America, colonization was overwhelming, especially in relation to traditional peoples, imprinting a civilizing method in the light of European, white and masculinized premises, notions incorporated in the formation and development of colonized societies (EINSBERG, 2000). It should be noted that, throughout history, several factors have combined and contributed to the hierarchy of differences, in order to privilege some and make others inferior, generating prejudice, discrimination, oppression, violence and even deaths against marginalized identities, situations that, despite many social and normative advances, have a very serious repercussion nowadays.

In this scenario of demonization of difference, to the point of denying the very humanity of some people or social groups, struggles for recognition arise, which seek respect for human dignity and the realization of basic rights of populations made invisible and/or marginalized. In this sense, three theorists of recognition will be briefly presented: Axel Honneth, Charles Taylor and Nancy Fraser with different ways of perceiving recognition involving identity and difference.

Axel Honneth (2009), in his theory of recognition, resumes conflict as the generator of struggles for recognition. The conflict corresponds to the experiences of disrespect suffered by the subjects as the moral grammar of social conflicts. For him, there are three spheres of recognition: love, law and social esteem, without which one cannot speak of reciprocal recognition – the corresponding reciprocity of third parties and the State itself. In the first sphere, the subject needs to be recognized in his primary love relationships, in the connections between parents and children, partners and friends. In relation to the second sphere of recognition, the Law allows subjects to conceive their actions as legitimate manifestations and worthy of respect, guaranteeing the ownership of individual rights. Social esteem, in turn, allows the person to feel their particularities valued and recognized by their treatment partners.

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<sup>1</sup> In the wake of the authors’ reflections, one of the main systems of domination is structured from an overvaluation given to gender and sexuality, based on the binary structuring man-non-man, male-non-male and heterosexual-homosexual. (SANTOS; LUCAS, 2019).



In turn, Charles Taylor (1994) works from the perspective of the *mistaken recognition* of identities, which can generate, therefore, an identity distortion that will inferiorize, oppress or belittle people or social groups, generating inequalities, such as in the case of women. And, in the present study, the indigenous peoples themselves, that is, indigenous identities are not denied, but their recognition is mistaken and, therefore, these peoples need to seek recognition that does not oppress them and does not take away their citizenship rights, respecting their differences. So, it can be said that the demand for recognition is based on the claim for the right to difference in the face of attempts to homogenize identity.

Nancy Fraser (2001) bases her studies on social justice and democratic redistribution, studying exploited and excluded groups and betting on identity recognition as a consequence of fair income redistribution. For her, when people have access to economic resources, their social status is modified, and they can participate in State decisions and, with that, achieve identity recognition. Even though she proclaims, first, the need for redistribution that generates recognition, she recognizes that there are cases in which the order is not necessarily this, as in the case of the recognition of women and blacks – they are often not based on economic issues. In her theory, Fraser bets on the need for the State to create not only affirmative policies, but transformative policies that are capable of actually reversing stereotyped identities respecting the differences.

These experiences of identity disrespect, misrecognition of identities and/or poor income distribution - such as indigenous peoples and, more specifically, indigenous women –, often seen as contradictory, are complementary and foster collective struggles and actions for social transformation<sup>2</sup>. Barroso and Osorio (2016) note that effective equality requires redistribution and recognition, neither of these axes is sufficient in isolation because the adoption of a two-dimensional conception of justice that encompasses both demands is more effective precisely because these axes of injustice are intertwined. In this sense, social movements are civil society organizations that guide these themes, serving as a space for resistance and social transformation.

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<sup>2</sup>For a deeper understanding of the topic, see article: VERONESE, Osmar; ANGELIN, Rosângela. Being different is normal and constitutional: On the right to difference in Brazil. **RDP**, Brasília, Volume 17, n. 93, 292-314, May/Jun. 2020.



### 3. Social movements, resistance space and social transformation

Social movements materialize demands for recognition, as they seek legal and social recognition of several historically marginalized groups, through articulated strategies that aim to break with symbolic systems of domination, inferiorization of differences and social exclusion, such as movements for women's rights, feminist movements, LGBTQI+ movements, indigenous people's movements, cultural movements, religious movements, among others.

Social movements arise, largely due to unions, in liberal and industrialized states, due to the precariousness of working conditions. The work of unions left marks in two important Constitutions in the West: the Mexican Constitution (1917) and the German Constitution of Weimar (1919), which open the doors of constitutionalism to the Social State, housing social rights, especially labor and social security rights, and they commit the State to intervene in the economy, contrary to what the Liberal State preached, creating limits of action and predicting intervention in capital (ANGELIN, 2019).

As an object of study, social movements emerge with the birth of sociology, which has always been the field par excellence in the analysis of social action. According to the lessons of Maria Glória Gohn, the concept of social movements has undergone numerous changes throughout history. For example, around the 1950s-1960s, "social science textbooks and part of the specific studies approached movements in the context of social changes and saw them as sources of conflicts and tensions, fomenters of revolutions, revolts and acts considered anomalous." (GOHN, 2010a, p. 24).

In this historical period, "social movements and revolutions were terms used synonymously, and whenever movement was mentioned, the category 'worker' was highlighted" (GOHN, 2010a, p. 24). The term *movement* was used in broad meanings, involving large historical periods, which ended up encompassing wars, nationalist movements, radical ideologies (such as Nazism and fascism), religious ideologies, etc. The historical-structural current, linked to Marx's approaches, built one of the main theoretical matrices and influenced the classical or traditional analysis of social movements in the 20th century, inspiring studies that focused on the movement of the proletariat, particularly on union struggles, in which the very concept of class struggle was central, a matrix with exponential importance in the world until the 1970s (GOHN, 2010a).



From new actions that began to open social and cultural spaces for actors that until then had no visibility, such as women, young people, students, indigenous people and blacks, as well as the development of the cultural-identity focused current, new perspectives emerged on the theme of social movements, a conjuncture that began to highlight the identity and the positive side of movements, especially as promoters of social change and producers of new meanings (GOHN, 2010a).

Contemporaneously, the discussion on social movements is inserted in a broader context, encompassing the crisis of modernity and the emergence of new forms of rationality, with emphasis on “the societal transformations resulting from globalization, changes in the patterns of social relations, given the advancement of new technologies, and innovations that have led to the recognition of a paradigmatic transition” (GOHN, 2010a, p. 41). In this perspective, the new requirements of modernity, the resignification of the rational subject, the search for articulations between global and local, new forms of democratic participation, policies of identity and difference, autonomy and emancipation are among the main approaches of this millennium on collective actions and social movements, according to the reflections of Gohn (2010a). Considering the current development of the theme, Gohn presents a new conceptualization of social movements, as being:

collective social actions of a socio-political and cultural nature that enable diferente forms for the population to organize and express their demands. In concrete action, these forms adopt different strategies that range from simple denunciation, passing through direct pressure (mobilizations, marches, concentrations, demonstrations, disturbances to the established order, acts of civil disobedience, negotiations, etc.), to indirect pressure (GOHN, 2010b, p. 13).

For Alain Touraine (2006), it is important to observe social movements as collective actions that put on the agenda modes of generalized social domination, acting on the set of main aspects of social life. Another indispensable feature is the autonomy of social movements, identified as independent, autonomous and non-institutionalized organizations committed to social transformation. However, many social movements lose strength and legitimacy due to submission or attachment to political parties and state bodies, moving away from their initial objectives and institutionalizing practices organized from the top down, as Gohn (2010a) emphasizes.

On the other hand, despite being frequently used as synonymous, social movements differ from social mobilizations. According to Gohn (2010a, p. 65), social



mobilization “refers to activations aimed at changing behaviors or adherence to given social programs or projects”, presenting itself as a twin category of social participation. A social mobilization can draw the attention of the community to some cause or social event, which can be reduced to a walk or stoppage, for example. Social movements, in turn, have an internal structure, established guidelines, coordinated actions, short, medium and long-term objectives, with a focus on social transformation. “The term movement is initially replaced by mobilization and appears only in the process – basically the result of collaborative work, cohesion, with propositional actions. Movement is an outcome and not the initial focus of collective action” (GOHN, 2010a, p. 67).

Currently, social movements have reinvented their strategies and modes with the use of information and communication technologies, especially the internet. According to Ilse Scherer-Warren (2007, p. 16), the social movements of the globalized society “seek to empower themselves through networked organizations, articulating local initiatives with support, forms of communication and broader manifestations”. Anyway, considering the peculiarities of each era, one cannot forget that social movements are indispensable tools of social transformation, determinant in all processes of recognition and claiming of rights throughout history, whether they are aimed at identity recognition or redistribution of income, opening space for the subjects to be social actors of their own history in search of a better world, like the indigenous women’s movement, discussed next on in this article.

#### **4. Indigenous women’s movements in Brazil and the agenda for the fight against gender violence**

Since the beginning of colonization, in the name of the expansion-imposition of a certain way of life, the indigenous peoples of Brazil have been targets of violence, discrimination, marginalization and attempts at assimilation, practices motivated by the lack of recognition of cultural and identity differences. For Mércio Pereira Gomes (2012), since 1500, Brazil and indigenous peoples form an unmatched duo, as the relationship between both histories is clearly inverse: as the first grows, the other decreases. Already in the first contacts, the image of the indigenous people was being negatively constructed, they were labeled as barbaric, irrational, uncultured, devoid of faith or religion, narratives



incorporated into the social imaginary over time and that are reflected to the present day in the forms of discrimination, prejudice, exclusion, lack of recognition or misrecognition.

The Jesuit reductions of the Guarani themselves, whose success in many fields is undeniable (as in music, in the production system, in social organization), had a masculine power structure, brought by the Jesuits, embedded in the Western Christian tradition that attributed to women an incapacity to manage themselves, requiring, therefore, constant male accompaniment. “At home, they were under the guardianship of their father; in marriage, of their husband” (RAMOS, 2016, p. 138). The Guarani woman, in the reductions, is distanced, both from the altar and from the liturgical roles, as well as from the transit in the spaces of power (RAMOS, 2016, p. 140), an experience that demonstrates historical roots embedded in the heart of tradition, with a rigid demarcation of the male and female social roles, whose reflections are still present in the social structuring of these indigenous peoples. Secular traditions are not easily broken.

Until the enactment of the Brazilian Federal Constitution of 1988, indigenous peoples as a whole were practically disregarded by the national legal system. All the norms did not recognize the existing cultural and identity diversity, preached the incorporation and assimilation of indigenous people into the dominant society, which also contributed to the perpetuation of a discriminatory and excluding social imaginary. In this context, the confrontation of the theme in the Constituent Assembly (1987-88) was challenging, as it promoted equality in a multicultural scenario, having to, in order to do so, recognize the differences, largely due to the “struggle of culturally dominated groups that aimed for social ascension fighting against the end of the exclusion provided by discrimination”. (DORNELLES; DE BRUM; VERONESE, 2017, p. 39).

Only the Brazilian Federal Constitution of 1988 overcomes integrationist and assimilatory views in relation to indigenous peoples, recognizing the right to difference and traditional identities. Souza Filho describes some advances in the 1988 constitutional text, in this sense:

(1) it expanded the rights of the Natives, recognizing their social organization, uses, customs, religions, languages and beliefs; (2) considered the right to land as original, that is, prior to the law or act that so declares; (3) it conceptualized indigenous lands including not only those necessary for housing, but also for production, preservation of the environment and those necessary for their physical and cultural reproduction; (4) for the first time, at the constitutional level, it was admitted in Brazil that collective indigenous rights exist, either by recognizing indigenous social organization or by granting the community the right to express an opinion on the use of natural resources and to file a lawsuit to claim it; (5) it dealt in more detail, thus



establishing better guarantees, the exploitation of natural resources, especially minerals, for which the prior consent of the National Congress is required; (6) it prohibited the removal of indigenous groups, giving the National Congress the possibility to study eventual and established exceptions; (7) but above all it called the Indians and gave them the right to continue to be Indians (SOUZA FILHO, 2012, p. 90-91).

In this sense, it must be considered that indigenous movements played a fundamental role in the paradigmatic turn provided by the 1988 Constitution. Faced with atrocities committed during the civil-military dictatorship, around 1970, alongside the indigenous movements, Brazilian indigenous people began to organize their own movements in defense of their rights. The so-called *Indigenous Assemblies*, which began to bring together leaders from different peoples, from 1974 onwards, with the support of CIMI, can be understood as the genesis of the indigenous movement in Brazil (BICALHO, 2010). Later, in 1979, the Union of Indigenous Nations (União das Nações Indígenas, UNI) began to be created, the first formal organization articulated by the indigenous themselves, with the aim of uniting peoples and creating a common front for self-defense and affirmation before Brazilian society but that gradually weakened. In the course of the 1980s, associations of indigenous communities emerged to represent the interests of their peoples, devising new forms of indigenous self-affirmation, so that the 1988 National Constituent Assembly itself had the participation of the indigenous movement, anthropologists, NGOs and religious entities supporting the cause (GOMES, 2012). Corroborating the history of the emergence of indigenous movements in Brazil, Luciano Baniwa ponders:

In Brazil, there has in fact been, since the 1970s, what we can call the Brazilian indigenous movement, that is, a joint and articulated effort of indigenous leaders, peoples and organizations aiming at a common agenda of struggle, such as the struggle for land, healthcare, education and other rights. It was this articulated indigenous movement, supported by its allies, that managed to convince Brazilian society and the National Constituent Congress to approve, in 1988, the advanced indigenous rights in the current Federal Constitution (BANIWA, 2006, p. 59).

In view of the favorable institutional scenario, after the 1988 Constitution, the indigenous movement was strengthened and numerous indigenous associations began to be created throughout the Brazilian territory. Today, in addition to the common axes that mobilize the Brazilian indigenous movement, such as the demarcation and protection of territories, preservation of natural resources, healthcare, education and sanitation, there are community, local and regional movements and organizations that fight for the rights



and interests of traditional populations according to the peculiarities of each people, ethnic group and region of the country. It is worth mentioning the work of the Articulation of the Indigenous Peoples of Brazil (Articulação dos Povos Indígenas do Brasil, APIB), an instance of national reference of the indigenous movement that has the “purpose of strengthening the union of our peoples, the articulation between the different regions and indigenous organizations of the country, in addition to mobilize indigenous peoples and organizations against threats and attacks on indigenous rights” (APIB, s.a).

Many social movements have not paid the necessary attention to the condition of being a woman, which comes with its own issues and demands in each social organization. Within patriarchal societies, such as the Brazilian one, women still face many obstacles, prejudices and violence, problems that can be further aggravated by other factors. It should be noted that the reality of a white and wealthy woman is different from the reality of a black and poor woman, which in turn is also different from the daily life of an indigenous woman. Different realities give rise to different demands, which does not mean that any of them is free from facing prejudice or violence due to gender. In the approach of indigenous women, for example, it is possible to perceive a kind of *double vulnerability* that encompasses the characteristics of being a woman and being indigenous, that is, gender and ethnicity, as Sacchi asserts:

On the one hand, there is the situation of exclusion, racism and disadvantage in which indigenous peoples live within nation-states and the difficulty in accessing justice. On the other hand, there are the specificities related to discrimination against women from ethnically differentiated groups. It is a very difficult situation to overcome, which involves several fronts: access to internal justice, in their communities, with their peers, peoples and organizations; the scope of State justice; and the conquest of human rights as women, along with other women’s/feminist movements with very different demands. (SACCHI, 2014, p. 68).

Aware of their importance in traditional struggles, groups of indigenous women start to organize themselves in favor of community demands and also for the recognition of their space and protagonism. Verdum (2008) points out that the first two organizations of Brazilian indigenous women emerged in the 1980s: the Association of Indigenous Women of the Alto Rio Negro (Associação de Mulheres Indígenas do Alto Rio Negro, AMARN) and the Association of Indigenous Women of the District of Taracuí, Rio Uaupés and Tiguí (Associação de Mulheres Indígenas do Distrito de Taracuí, Rio Uaupés e Tiguí, AMITRUT). The other organizations began to be constituted after 1990, the same period in which meetings between indigenous women of different ethnicities began to take



place. From then on, several associations, organizations and movements of indigenous women began to be organized throughout Brazil, such as the Sateré Mawé Indigenous Women Association (Associação de Mulheres Indígenas Sateré Mawé), the Organization of Indigenous Women of Roraima (Organização das Mulheres Indígenas de Roraima), the Women Departments of the Federation of Indigenous Organizations of Rio Negro (Departamentos de Mulheres da Federação das Organizações Indígenas do Rio Negro), the Coordination of Indigenous Organizations of the Brazilian Amazon (Coordenação das Organizações Indígenas da Amazônia Brasileira), among others. In 1996, the 1st State Meeting of Indigenous Women of Roraima was held, in Maturuca, Raposa Serra do Sol Indigenous Land, an opportunity in which the indigenous women assumed the commitment to fight alcoholism, fight for land and self-sustainability, revitalize the culture and continue the sewing project (SACCHI, 2003).

In 2002, the I Meeting of Indigenous Women of the Brazilian Amazon (I Encontro das Mulheres Indígenas da Amazônia Brasileira) took place in Manaus, aiming “to promote the participation of indigenous women in the various instances as well as ensuring their rights, and also contributing to the advancement of the indigenous movement” (SACCHI, 2003, p. 98). According to Verdum (2008, p. 11), “in the Northeast Region, the Articulation of the Indigenous Peoples of the Northeast, Minas Gerais and Espírito Santo (Articulação dos Povos Indígenas do Nordeste, Minas Gerais e Espírito Santo, Apoinme) held, in early 2007, its first regional meeting of indigenous women (warriors). In the southern region, in the city of Curitiba/PR, also in 2007, the Articulation of Indigenous Peoples of the Southern Region (Articulação dos Povos Indígenas da Região Sul, Arpin-Sul) held a first regional meeting of indigenous women from the Kaingang, Guarani and Xoklem ethnic groups. On that occasion, sexism within the villages was reported as one of the difficulties faced by indigenous women in their communities (FREITAS, 2008, p. 50). Later, in 2009, during the III Meeting of Indigenous Women of the Amazon (III Encontro de Mulheres indígenas da Amazônia), the Union of Indigenous Women of the Brazilian Amazon (União das Mulheres Indígenas da Amazônia Brasileira, UMIAB) was created. In 2019, the I March of Indigenous Women was held in Brasília (I Marcha das Mulheres Indígenas), an event that was attended by around 2,500 indigenous people from more than 130 indigenous peoples, with the theme *Territory: our body, our spirit* (CIMI, 2019). From the Final Document of the I March of Indigenous Women, the following passages stand out:



As women, leaders and warriors, generators and protectors of life, we will take a stand and fight against the issues and violations that face our bodies, our spirits, our territories. By spreading our seeds, our rituals, our language, we will guarantee our existence. The March of Indigenous Women was conceived as a process, initiated in 2015, of training and empowerment of indigenous women. Over the years we have dialogued with women from different movements and we realized that our movement has a specificity that we would like to be understood. The movement produced by our fight dance considers the need to return to the complementarity between the feminine and the masculine, without, however, giving an essence to the man and the woman. Sexism is yet another epidemic brought by Europeans. Thus, what is considered violence by non-indigenous women may not be considered violence by us. This does not mean that we will close our eyes to the violence that we recognize takes place in our villages, but we need to take it into account and the aim is exactly to oppose, problematize and bring critical reflections about daily practices and contemporary forms of political organization among us. We need to dialogue and strengthen the power of indigenous women, recovering our matriarchal values and memories so that we can advance in our social claims related to our territories (CIMI, 2019, s.p).

Among the struggle agendas established in the document are: guaranteeing the demarcation of indigenous lands and full possession of the territories; the provision of the right to healthcare in a differentiated manner; the realization of the right to difference and access to justice; promoting the representation of indigenous women in political spaces, inside and outside the villages; the fight against discrimination against indigenous people in decision-making spaces, especially against women, who are victims not only of racism, but also of sexism; the need for specific legislation to fight the violence against indigenous women, culturally oriented to the reality of the peoples; the continuation of the empowerment of indigenous women through information, training and awareness of our rights, guaranteeing the full access of indigenous women to formal education; strengthening the indigenous movement with the integration of gender and generational knowledge.

Due to the Covid-19 pandemic, the March was not held in person. The II National March of Indigenous Women (II Marcha Nacional das Mulheres Indígenas) was held from September 7 to September 11 of 2021, with the theme “Native women: Reforesting minds for the healing of the Earth”. According to information from CIMI (2021), the march was attended by approximately 5,000 indigenous people from all over Brazil, belonging to 185 peoples, who occupied the streets of Brasília. The movement also marked the struggle of indigenous women against the time frame thesis, which is being voted on by the Brazilian Federal Supreme Court.



In February 2020, the Instituto Socioambiental counted 85 indigenous women's organizations and seven indigenous organizations that have women's departments, totaling 92 organizations present in 21 states of Brazil (MAPA; 2020). As can be seen, these are recent mobilizations, but they are increasingly strengthened and articulated. These are movements that intertwine ethnicity and gender, with the "claim of their own gender rights and the strengthening of old struggles of their peoples, which makes them negotiate with different actors in the interethnic context" (SACCHI, 2003, p. 95) . According to Verdum, indigenous women bring new agendas and concerns, such as family and interethnic violence:

they enrich the movement's internal debate, bringing to the collective the evaluations and demands of the specific spaces in which women act. Family and interethnic violence, access to technical and financial means to generate income, reproductive health, food sovereignty, women's participation in government policy decisions, among other topics, are included by indigenous women within the indigenous movement and in public policy debate and decision-making spaces (VERDUM, 2008, p. 9).

Indigenous women recognize that gender violence is also present within traditional communities. If the first indigenous women's movements did not bring up this agenda so clearly, today the situation is quite different. Even so, it is important to note that the continuous and systematic violations of the basic rights of traditional populations make demands for collective rights very strong, and even a priority, in indigenous women's movements. However, this situation does not mean that women's rights, especially female empowerment and the fight against violence, do not have space in these movements.

Even though indigenous women are pointing out the State's responsibility for violating their rights, for not guaranteeing economic, social and political conditions that allow them to have a dignified life and with quality basic services, at the same time, they are identifying violence in the indigenous world. Internally, they complain about the control of their sociability and mobility, such as the freedom to circulate and visit certain spaces. Women have also been discussing the lack of female decision-making power in community issues, and the disqualification of their demands and actions by their partners and indigenous authorities. (SACCHI, 2014, p. 64).

Recent cases have demonstrated the need to specifically address the various forms of violence against women within traditional territories, such as the case of Ana Beatriz, a *Sateré-Mawé* indigenous woman, aged only 5, who was kidnapped, raped, asphyxiated and killed on the 23rd of November 2020. The child was removed from the hammock where she slept, inside her house, in the Vida Nova community, in the interior



of the municipality of Barreirinha/AM. The search began based on a T-shirt forgotten at the crime scene, a suspect was detained, also of the *Sateré-Mawé* ethnic group, and he pointed out the place where the child had been buried (SANTOS, 2020).

In early 2019, in Porto Alegre, Rio Grande do Sul, a chief of a *Kaingang* community was denounced and arrested for the crimes of rape and false imprisonment allegedly committed against his own granddaughter, who was 12 years old at the time. According to information released by the Public Ministry of the State of Rio Grande do Sul, the girl reported that the cacique, her paternal grandfather, using the authority he had as head of the village and taking advantage of the occasion when the girl was alone, asked if she wanted to watch the “meeting movie,” referring to an annual event of their community. After his granddaughter said yes, the defendant sat on the couch, asked the girl to sit on his lap and began to abuse her. From that moment on, the chief would have started to pursue the victim, with the intention of having sexual acts with her. After the girl’s successive denials, her grandfather, taking advantage of his position as chief, ordered his granddaughter to be imprisoned in the “community jail”, a piece of brick with a wooden door, where the young woman remained standing or squatting for four days (MP-RS, 2019).

Recently, in February 2021, in the *Umariçu* Community, in the municipality of Tabatinga, the Civil Police of Amazonas arrested a 29-year-old indigenous male that belongs to the *Ticuna* ethnicity for the crime of femicide committed against his companion, a 28-year-old indigenous woman, who also belongs to the *Ticuna* ethnicity. According to information from the Secretary of Public Security, the aggressor punched the victim several times in the face and body and, as a result of the aggressions, she fell, hit her head and became unconscious, dying moments later. Also according to the news, the victim still tried to hide in one of the rooms of the house where they lived, but was caught by her partner. (SSP-AM, 2021).

There are cases that also point to gender-based violence among the Guarani in Argentina, such as the one in which “el acusado había dado muerte a su mujer en estado de ebriedad” (“the defendant had killed his wife while intoxicated”) (MOREIRA, 2019, p. 158-159), and another in which “un grupo de aborígenes em estado de ebriedad golpearon y violaron a una mujer también aborígene de catorce años de edad” (“a group of Aboriginal people while intoxicated beat and raped a fourteen-year-old Aboriginal



woman”) (MOREIRA, 2019, p. 167), the first judged by the indigenous themselves and the second steeped in very interesting cultural issues, but which bring the woman as a victim.

As if that wasn't enough, violence also comes from outside the communities. It is not uncommon for indigenous women to be raped, kidnapped or raped as a form of pressure to abandon occupied lands. The Report on Violence Against Indigenous Peoples in Brazil, 2016, points out that women are the main victims of violence against indigenous communities in the world, according to the UN report. It is noticeable that “the organization's data show that more than 1 in 3 indigenous women are raped in their lifetime - and the violence is part of a strategy to demoralize the community or as ‘ethnic cleansing’” (CIMI, 2016, p. 30). In this context, international organizations, indigenist bodies and the indigenous movements themselves have promoted actions to raise awareness, train and confront gender violence within communities.

From another perspective, one cannot lose sight of the whole cultural issue, which is often used to cover up or legitimize gender violence. Many situations are not reported for fear of disapproval from family members and other community members. In addition, as Sacchi (2014) points out, the external penalization of ethnically differentiated men also affects the lives of women and their sons and daughters, especially due to the interdependence and complementarity of the division of labor, since, in the view of some indigenous people, the protection of the territory, hunting, fishing or the production of food in the community can be jeopardized by possible State imprisonments.

At this point, the effectiveness of the application of the Maria da Penha Law (Federal Law 11340) to different indigenous cultures is questioned. The difficulties vary in each culture and community, highlighting the fear of external penalties that are foreign to the traditional order, lack of specialized attention, which takes into account cultural diversity, language barriers, lack of knowledge about the legislation and their rights, considerable distance of the city and service agencies, issues that ratify the need for differentiated and intercultural actions in the defense of these women's rights. From this perspective, community support is very important. Internal solutions, such as own laws and punishments, can also be adopted satisfactorily, depending on the specific case, after all, the Federal Constitution of 1988 recognizes indigenous social organizations, their customs and traditions. As a result, “it becomes important to recognize traditional indigenous authorities who, due to their influential and prestigious roles, are central to dialogue and advice on how to treat women” (SACCHI, 2014, p. 66).



Therefore, it cannot be said that indigenous women's movements in Brazil do not face gender violence, as this has been a relevant and growing agenda. Likewise, it is also not possible to compare indigenous movements with other women's movements, such as feminism, in view of the preponderant agenda of collective rights, which are indispensable to the cosmovision of traditional peoples. As Sacchi (2014, p. 70) emphasizes, one cannot conceive of an exclusion or "separation in the guarantee of collective and individual rights, when they position themselves as women and as belonging to different ethnicities. And it is not a renunciation of one's identity before the State, but the exercise of their rights as different". Thus, the importance of facing the multifaceted character of violence against women, combining race, ethnicity, gender, social class, and other possible variants, hence the relevance of these movements that, even timidly, raise the gender agenda.

Experiencing this reality as a black woman, American activist lawyer Kimberle Crenshaw proposes the concept of Intersectionality of Human Rights as a tool to describe the phenomenon of the simultaneous interaction of factors of discrimination (that combine race, gender and social class) which create a specific form of violence and oppression against women, not including, initially, by the feminist movements, since they do not cover some social markers that are decisive for the achievement of their rights.

## 5. Conclusion

At the end of the study, which scope was to reflect upon the indigenous women movements with a focus on gender violence, based on contributions of identity, difference, recognition and social movements, some conclusions and many concerns were reached. First, the fact that there are still very few indigenous movements that raise this specific flag should be noted, and that the research on this matter is even more scarce. This silence covers the topic with layers of violence, class, ethnicity and gender.

Being an indigenous woman in a colonizing patriarchal context means combining the lack of recognition or misrecognition for being a woman, the ethnic suffering for being indigenous and the hardships of economic poverty living in a capitalist society. These difficulties can embody the agenda of demands of indigenous women's movements, coupling elements that meet redistributive justice and identity recognition. In this sense,



as history shows, social movements led to the conquest and recognition of many individual, social, cultural and economic rights. Such articulated collective actions are engines of change in the reality faced from the mobilization of citizens who connect demands for identity, difference and recognition, seeking to reverse situations of marginalization, exclusion and poverty. The 1988 Federal Constitution, statute of freedom and equality - respectful of difference, by incorporating the voices of the indigenous movement of the time, represented a paradigmatic turn, recognizing indigenous peoples their social organization, customs, languages, beliefs and traditions, as well as the original rights over the lands they traditionally occupy.

Alongside the traditional indigenous movement, from the 1980s onwards, indigenous women's movements began to be created in Brazilian territory, demanding the realization of basic collective rights and also drawing attention to the possible interrelationships between gender and race. Currently, in view of the constant violence faced by women, regardless of race, ethnicity, economic condition or belief, it is possible to observe a strengthening of the agenda for confronting gender violence in the context of indigenous women's organizations throughout Brazil, which are beginning to discuss, more specifically, issues related to fighting the various forms of violence, empowerment, participation, female representation. These agendas combine the confrontation of internal and external elements of the tribes with the courage to uncover gender violence.

Thus, having in mind the peculiarities of the historical context faced by indigenous peoples and their real needs, it is not possible to say that indigenous women's movements do not fight gender violence, nor is it possible to compare indigenous women's movements with other women's movements, considering the intertwining collective struggles and gender-related agendas. In this sense, it is necessary to consider that the realization of collective basic rights also strengthens the specific rights of indigenous women, building a worldview of balance valued by these groups of women.

## References

ANGELIN, Rosângela. Constituição Federal de 1988: Trinta anos de (Des)Caminhos de uma Utopia em Direitos Humanos. In: NASCIMENTO, Valeria Ribas do; SALDANHA, Jânia Maria Lopes. **Os direitos humanos e o constitucionalismo em perspectiva: expectros da DHDU**



e da Constituição da República Federativa do Brasil. Rio de Janeiro: Editora Lumen Juris, 2019, p. 357-374.

APIB. **Articulação dos Povos Indígenas do Brasil**. Quem somos. s.a. Disponível em: <https://apiboficial.org/sobre/>. Acesso em: 05 Jan. 2021.

BARROSO, Luís Roberto; OSORIO, Aline. “Sabe com quem está falando?”: Notas sobre o princípio da igualdade no Brasil contemporâneo. **Direito & Práxis**, Rio de Janeiro, Vol. 07, N. 13, 2016, p. 204-232.

BAUMAN, Zygmunt. **Identidade**: entrevista a Benedetto Vecchi. Tradução de Carlos Alberto Medeiros. Rio de Janeiro: Jorge Zahar, 2005.

BICALHO, Poliene Soares dos Santos. **Protagonismo indígena no Brasil**: movimento, cidadania e direitos (1970-2009). 2010. 464 f., il. Tese (Doutorado em História). Universidade de Brasília, Brasília, 2010.

CIMI. Relatório Violência contra os povos indígenas no Brasil. **Conselho Indigenista Missionário**. 2016. Disponível em: [https://cimi.org.br/pub/relatorio/Relatorio-violencia-contra-povos-indigenas\\_2016-Cimi.pdf](https://cimi.org.br/pub/relatorio/Relatorio-violencia-contra-povos-indigenas_2016-Cimi.pdf). Acesso em: 20 dez. 2020.

CIMI. A mãe do Brasil é indígena: 5 mil guerreiras da ancestralidade ocupam Brasília em marcha histórica. **Conselho Indigenista Missionário**, 10 de set. 2021. Disponível em: <https://cimi.org.br/2021/09/a-mae-do-brasil-e-indigena-5-mil-guerreiras-da-ancestralidade-ocupam-brasilia-em-marcha-historica/>. Acesso em: 20 out. 2021.

CIMI. Marcha das Mulheres Indígenas divulga documento final: “lutar pelos nossos territórios é lutar pelo nosso direito à vida”. **Conselho Indigenista Missionário**. 2019. Disponível em: <https://cimi.org.br/2019/08/marcha-mulheres-indigenas-documento-final-lutar-pelos-nossos-territorios-lutar-pelo-nosso-direito-vida/>. Acesso em: 10 Jan. 2021.

DORNELLES, Ederson Nadir Pires; DE BRUM, Fabiano Prado; VERONESE, Osmar. **Indígenas no Brasil**: (In) Visibilidade Social e jurídica. Curitiba, Juruá, 2017.

EISENBERG, José. **As missões jesuíticas e o pensamento político moderno**: encontros culturais, aventuras teóricas. Belo Horizonte: editora UFMG, 2000.

FOUCAULT, Michel. O sujeito e o poder. In: DREYFUS, Hubert L.; RABINOW, Paul (Orgs.). **Michel Foucault**: uma trajetória filosófica para além do estruturalismo e da hermenêutica. Tradução de Vera Porto Carrero. Rio de Janeiro: Forense Universitária, 1995.



FRASER, Nancy. Da redistribuição ao reconhecimento? Dilemas da justiça da era pós-socialista. In: SOUZA, Jessé (Org.). Democracia hoje: novos desafios para a teoria democrática contemporânea. Brasília: Editora Universidade de Brasília, 2001.

FREITAS, Maria Inês de. Mulheres indígenas e a luta por direitos na Região Sul. In: VERDUM, Ricardo (Org.). **Mulheres indígenas, direitos e políticas públicas**. Brasília: Inesc, 2008.

GOHN, Maria da Glória. **Novas Teorias dos Movimentos Sociais**. 3. ed. São Paulo: Edições Loyola, 2010a.

GOHN, Maria da Glória. Movimentos sociais na atualidade: manifestações e categorias analíticas. In: GOHN, Maria da Glória (Org.). **Movimentos Sociais no início do século XXI: antigos e novos atores sociais**. 4. ed. Petrópolis: Vozes, 2010b.

GOMES, Mércio Pereira. **Os índios e o Brasil: passado, presente e futuro**. São Paulo: Editora Contexto, 2012.

HALL, Stuart. Quem precisa da identidade? In: SILVA, Tomaz Tadeu da (Org.). **Identidade e diferença: a perspectiva dos estudos culturais**. Petrópolis: Editora Vozes, 2000.

HALL, Stuart. **A identidade cultural na pós-modernidade**. Tradução de Tomaz Tadeu da Silva e Guaracira Lopes Louro. 11. ed. Rio de Janeiro: DP&A, 2006.

HONNETH, Axel. **Luta por reconhecimento: a gramática moral dos conflitos sociais**. Tradução de Luiz Repa. 2. ed. São Paulo: Editora 34, 2009.

HALL, Stuart. Quem precisa da identidade? In: SILVA, Tomaz Tadeu da (Org.). **Identidade e diferença: a perspectiva dos estudos culturais**. Petrópolis: Editora Vozes, 2000.

HALL, Stuart. **A identidade cultural na pós-modernidade**. Tradução de Tomaz Tadeu da Silva e Guaracira Lopes Louro. 11. ed. Rio de Janeiro: DP&A, 2006.

LUCIANO BANIWA, Gersem dos Santos. **O Índio Brasileiro: o que você precisa saber sobre os povos indígenas no Brasil de hoje**. Brasília: Ministério da Educação, Secretaria de Educação Continuada, Alfabetização e Diversidade; LACED/Museu Nacional, 2006.

MAPA DAS ORGANIZAÇÕES DE MULHERES INDÍGENAS NO BRASIL. **Instituto Socioambiental**. 2020. Disponível em: <https://acervo.socioambiental.org/acervo/mapas-e-cartas-topograficas/brasil/mapa-das-organizacoes-de-mulheres-indigenas-no-brasil>. Acesso em: 05 Jan. 2021.



MINISTÉRIO PÚBLICO DO RIO GRANDE DO SUL. **Justiça atende pedido do MP e determina prisão de cacique acusado de estuprar e manter neta em cativeiro.** MP/RS, Porto Alegre/RS, 25 de fevereiro de 2019. Disponível em: <https://www.mprs.mp.br/noticias/infancia/48620/>. Acesso em: 26 jan. 2021.

MOREIRA, Manoel. **La cultura jurídica Guaraní.** Posadas: CEDEAD, 2019.

RAMOS, Antonio Dari. **Tribunal de Gênero: mulheres e homens indígenas e cativos na Antiga Província Jesuítica do Paraguai.** São Leopoldo: Oikos, 2016.

SACCHI, Ângela. Mulheres indígenas e participação política: a discussão de gênero nas organizações de mulheres indígenas. **Revista Antropológicas**, ano 7, volume 14, p. 95-110, 2003.

SACCHI, Ângela. Violências e Mulheres Indígenas: justiça comunitária, eficácia das leis e agência feminina. **Patrimônio e Memória**, São Paulo, Unesp, v. 10, n. 2, p. 62-74, julho-dezembro, 2014.

SANTOS, Izabel. Morte de menina Sateré-Mawé expõe violência sexual dentro dos territórios. Povos Indígenas. **Amazônia Real**. 10/12/2020. Disponível em: <https://amazoniareal.com.br/morte-de-menina-satare-mawe-expoe-violencia-sexual-dentro-dos-territorios/>. Acesso em: 05 Jan. 2021.

SANTOS, André Leonardo Copetti; LUCAS, Doglas Cesar. **A (in)diferença no Direito: minorias, diversidade e direitos humanos.** 2. ed. Porto Alegre: Livraria do Advogado, 2019.

SCHEREN- WARREN, Ilse. Movimentos Sociais no Brasil Contemporâneo. **Revista História: Debates e Tendências**, vol. 7, n 1, jan./jun. 2007, p. 9-21.

SECRETARIA DE SEGURANÇA PÚBLICA DO AMAZONAS. **Polícia Civil prende em flagrante indígena, em Tabatinga.** SSP/AM, Manaus/AM, 22 de fevereiro de 2021. Disponível em: <http://www.ssp.am.gov.br/policia-civil-prende-em-flagrante-indigena-em-tabatinga/>. Acesso em: 25 fev. 2021.

SILVA, Tomaz Tadeu da. A produção social da identidade e da diferença. In: SILVA, Tomaz Tadeu da (org.). **Identidade e diferença: a perspectiva dos estudos culturais.** Petrópolis: Editora Vozes, 2000.

SOUZA FILHO, Carlos Frederico Marés de. **O renascer dos povos indígenas para o Direito.** 8ª reimpressão. Curitiba: Juruá Editora, 2012.

TAYLOR, Charles. A política do reconhecimento. In: TAYLOR, Charles (Org.). **Multiculturalismo: examinando a política de reconhecimento.** Lisboa: Instituto Piaget, 1994.

TOURAINÉ, Alain. Na fronteira dos movimentos sociais. **Revista Sociedade e Estado**, Brasília, v. 21, n.1, p. 17-28, jan./abr. 2006.



VERDUM, Ricardo. Mulheres indígenas, direitos e políticas públicas. In: VERDUM, Ricardo (Org.). **Mulheres indígenas, direitos e políticas públicas**. Brasília: Inesc, 2008.

VERONESE, Osmar; ANGELIN, Rosângela. Ser diferente é normal e constitucional: Sobre o direito à diferença no Brasil. **RDP**, Brasília, Volume 17, n. 93, 292-314, maio/jun. 2020.

WOODWARD, Kathryn. Identidade e diferença: uma introdução teórica e conceitual. In: SILVA, Tomaz Tadeu da (org.). **Identidade e diferença: a perspectiva dos estudos culturais**. Petrópolis: Editora Vozes, 2000.

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