

**THE SONG OF A THOUSAND VILLAGES: BRAZILIAN INDIGENOUS HISTORY AS  
PRESENT IN OFFICIAL DOCUMENTS AND ITS CONTEXTS** <https://doi.org/10.63330/aurumpub.031-002>**Josué Carlos Souza dos Santos<sup>1</sup>****Abstract**

This work aims to analyze the history of indigenous peoples in Brazil through two approaches: identifying legislative documents that point to changes in the indigenous situation throughout the nation's history and analyzing the respective contexts that accompanied the promulgation of these documents. Understanding the context is important because it helps us comprehend why indigenous peoples were persecuted and made invisible in many ways, and why the struggle to occupy spaces (political, educational, artistic, and social in general) continues even today. Through a bibliographic and documentary study, we reflect on these facts and point out that, even with some victories achieved along the way, there is still much to be done, discussed, and developed for the benefit of the native peoples of Brazil.

**Keywords:** Indigenous peoples, Legislation, History, Education, Brazil.

**INTRODUCTION**

Quem me dera ao menos uma vez  
como a mais bela tribo  
dos mais belos índios  
não ser atacado por ser inocente.

["How I wish, that at least once,  
like the most beautiful tribe  
of the most beautiful indigenes,  
to not be attacked for being innocent". ]  
*Índios* – Renato Russo

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These notes emerge from a place where an unease arises, and from an interest in researching with/about the Brazilian Amazon. I direct this unease toward a search in official documents that present the path traveled by Indigenous peoples beyond history books, while also showing the responses of constituted authorities in different periods in Brazil—responses that, in this way, left their mark on Indigenous peoples.

It is important to mention that the terminology “Indigenous peoples” is used here for semantic reasons, since “Indians” was commonly used to refer to these peoples because they appeared, phenotypically, in Portuguese eyes, to resemble people born in India. The etymology of the word “Indigenous” points to peoples who are natural and/or native to a given territory—in this case, Brazil.

Throughout the search for these documents, several questions emerged along the way: Which documents are these? How is Brazilian Indigenous history narrated through them? What led the authorities of each period to decree them? What was the predominant thinking in a given period? What was happening in Brazil (and sometimes in the world) that influenced how non-Indigenous people and their systems (whether political or religious) would deal with Indigenous peoples?

Thus, it also became necessary to understand the context that accompanied the official documents published, whether before or after their respective promulgations and formalizations. Two movements were therefore carried out as one: identifying which documents address (or, many times, neglect) Indigenous issues and what they addressed in that particular period, and analyzing the context. It seemed complex to speak of 522 (five hundred and twenty-two) years of history (since the arrival of the Portuguese), but, at the risk of leaving out important documents and/or events, I decided to blaze these trails and to blaze myself along these paths, because, as Santos (1997 apud Lodi, 2021) aptly notes: “... as Sartre said, before being realized, an idea bears a strange resemblance to utopia” (Santos, 1997, p. 122 apud Lodi, 2021, p. 317).

In this sense, a bibliographic study was conducted referencing documents from the first law on Indigenous captivity, in 1570, to the creation of the most recent National Council for Indigenous Policy

(CNPI), under Decree No. 8.593 of 2016, in order to indicate clues as to where we are heading as a Brazilian nation with regard to the human and civil rights of Brazil's original peoples. These considerations are thus interdisciplinary, because they dialogue with Anthropology, insofar as they address issues related to Indigenous peoples; with Law, from the perspective of documents addressed in this work and converted into legal instruments; with History, insofar as they address the Brazilian trajectory experienced by Indigenous peoples by indicating setbacks and advances across the nation's history; among other fields of knowledge, constituting an Intercultural Epistemology.

Before the arrival of the Portuguese, in a period now known as pre-colonial, commercial interests dominated European initiatives of exploration in other lands and their riches. For a long time, the term "Prehistory of Brazil" was used, but, as Queiroz (2019) rightly points out, history exists well before the Portuguese arrived; it does not depend on that event to exist. In this sense, the periods preceding the colonial period (1530–1815) will be titled, in this study, the pre-Cabralian period (before 1500) and the pre-colonial period (1500 to 1529).

These explorations would soon become competitions among nations disputing territories and their natural, environmental, and human resources—especially the race to exploit the "new continent" between Portugal, France, and Spain. The document known as the Treaty of Tordesillas (1494) is an example of this "hunt," delineating an imaginary line across territories in South America that Portugal and Spain could explore. In 1530, Portugal officially began implementing its first colonies and the name "Brazil" became the official name of the "found" land (before that, other names such as "Vera Cruz," "Santa Cruz," "Land of the Parrots," "Bracil," and others were used), thereby ending the pre-colonial period. The date was 22 April 1500, when the Portuguese arrived in Brazil through a group of caravels led by Pedro Álvares Cabral, "on the way to the Indies" in order to establish trading posts—and, upon sighting these lands, "it turned out as it did" (Canuto, 2018).

Two dominant forces operated in this context of exploration, domination, and enslavement: the political force, driven by Portuguese interests within a Eurocentric context, and the religious force,

stemming from the operational coordination of the Society of Jesus, the Jesuits. Both forces justified the enslavement of Indigenous peoples (and, soon thereafter, Africans) on two fronts: the political force dictated what was necessary to obtain labor for exploiting the mineral wealth found, while the religious force claimed that, through this action, doors would open for the catechization of Indigenous peoples and for their access to the gospel and the Catholic religion.

Thus, violence, discrimination, exploitation of enslaved labor, abuses, persecutions, and conflicts were justified under these pretexts, staining Brazil's history with Indigenous and African blood. In 1570, then, history begins to change with the promulgation of a document that would prohibit (though with exceptions) the enslavement of Indigenous peoples. From that moment—and in the following centuries—it became clear that Indigenous peoples would remain at the mercy of dominant and colonizing powers, and this Indigenous holocaust would indeed acquire vast proportions.

Considering that this historical trajectory silenced countless Indigenous people of different ethnicities, linguistic groups, geographic-spatial contexts, and worldviews, and given the multiplicity of identities and pluralities, I use the title “The song of a thousand villages” symbolically, in order to encompass the most varied forms of Indigenous diversity present on national soil. In writing, I consider titles to be revelations of textual identity, and their semantic, grammatical, and linguistic elements reveal authors' perceptions, evoking necessary symbolisms and representativeness. As Oliveira (2011), in turn drawing on Bakhtin (2003), states: “when we choose the words to compose the utterance, it is as if we were guided by the tone of what we wish to express, in that same utterance” (Oliveira, 2011, p. 27).

Accordingly, the objective of this article is to provide discussions regarding the context that accompanies the promulgation of official documents that indicate changes related to Indigenous peoples throughout the nation's history. Understanding context is important because it helps to comprehend why Indigenous peoples were persecuted and rendered invisible in many ways, and why the struggle for these peoples to occupy spaces (political, educational, artistic, and social in general) still remains.

From exploitation and extermination to the creation of a place with a certain prominence in the national political scene (though not protagonism), the history of Brazilian Indigenous peoples—and their contribution to understanding the forms of representativeness embedded in history—will be observed throughout these documents and their respective contexts.

## **FROM ARROWS TO FLANKS: FROM INDIGENOUS CAPTIVITY (1500) TO THE CREATION OF THE REPUBLIC (1899) AND ITS DEVELOPMENTS**

Colonial Brazil was a period that began around 1570 and extended until 1815, when the nation became a kingdom under Portugal<sup>2</sup>. Before that, however, Indigenous peoples already appeared in navigation charts and other documents, such as the famous description by Pero Vaz de Caminha, a scribe of King Dom Manoel I of Portugal, responsible for narrating the discoveries of new lands in Portuguese journeys across the high seas. According to Caminha (1500 apud Brasil, n.d.):

Their appearance is that they are brown, somewhat reddish, with good faces and good noses, well formed. They go naked, without any covering. Nor do they care to cover or display their private parts; and in this they have as much innocence as in showing their faces. Both had their lower lips pierced, and in them were set their white, true bones, the length of a handspan, as thick as a cotton spindle, sharp at the end like an awl. They insert them through the inner side of the lip; and the part that remains between the lip and the teeth is shaped like a chess rook, fitted in such a way that it neither troubles them nor hinders them in speaking, eating, or drinking.

Their hair is straight. And they went with it cut, cut high, more than over-combed, of good size, and shaved up to above the ears. And one of them wore beneath the fringe, from temple to temple and back, a kind of headpiece of yellow bird feathers, which would be the length of a stump, very thick and very dense, covering the crown of his head and his ears. And it was attached to the hair, feather by feather, with a composition soft like wax (though it was not), so that the headpiece remained very round and very thick, very even, and did not require further washing to raise it (Caminha, 1500 apud Brasil, n.d., p. 03).

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<sup>2</sup> This mission, coordinated by Martim Afonso de Souza, was known as an “exploratory” undertaking, but that term is no longer in use. The appropriate approach is to replace this expression with “colonizing,” in the sense that it involved enslavement and disrespect toward native peoples, other peoples, and even the environment.

In this scenario, captivity begins: Indigenous peoples were enslaved to benefit the Portuguese Crown through forced labor aimed at exploiting Brazil's minerals and dominant ecology—especially, in that period, brazilwood (pau-brasil). Although capitalist forces would gain strength in subsequent years due to the Industrial Revolution that began in England and spread worldwide, Brazil would benefit for a long time from this forced (enslaved) labor.

Still in this period, an important document was published: the first law concerning Indigenous captivity<sup>3</sup>. This first law stated that Indigenous people should not be enslaved, except when captured for not adhering to European Catholic catechization, the so-called “just war” (or “legitimate war”).

Malheiro (1867) points to two main aspects of this law: the fact that Indigenous people who were not seized in these “just wars” were considered free<sup>4</sup> and the understanding that Indigenous individuals aged 21 or older could be slaves to other Indigenous people or even to Christians on a voluntary basis.

Varnhagen (1975), regarding the law on the freedom of the gentiles of 20 March 1570, states:

I decree and order that henceforth in the said parts of Brazil, the ways that have been used until now to make the said gentiles captives shall not be used, nor may they be enslaved in any way or manner whatsoever, except those taken in a just war that the Portuguese wage against the said gentiles, with authority and license from me, or from my Governor of the said parts; or those who are accustomed to assault the Portuguese, or other gentiles, in order to eat them; such as those called Aimorés, and others similar (Varnhagen, 1975, p. 345).

Obviously, it was not “overnight” that the law's effective character began to be enforced. Until the end of the seventeenth century, it still occurred under the authorities' willful blindness, as Estrada (2013), Dias (2017), Oliveira (2001), Amantino (2006), and others indicate. And thus we enter the period 1600–

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<sup>3</sup> It is important to note that, in this text, we use the term “Indigenous peoples” for semantic reasons, since “Indians” was commonly employed to refer to these peoples because they appeared, phenotypically, in Portuguese eyes, to resemble individuals born in India. The etymology of the word “Indigenous” seems more appropriate to us, because it refers to peoples who are natural and/or native to a given territory, whatever that territory may be.

<sup>4</sup> As we shall see later, the Portuguese would “circumvent” the law with the support of the Catholic Church by claiming that an Indigenous person who did not undergo the rite of catechization could be captured and enslaved. This was called “just war.” In other words, Indigenous peoples had no choice: either they converted to Catholicism, or they became enslaved, or they were killed.

1700 with two important documents: the law that reaffirmed Indigenous freedom in Brazil in 1609, and the decree of the “Regiment of the Missions” in 1686.

The first of these documents established that every Indigenous individual was free and could no longer be enslaved, provided that they reached the final stage of catechization.

However, this understanding would change in 1611 due to pressure from settlers who demanded absolute control over Indigenous captives with the excuse that their labor was absolutely necessary in their colonies—a determining factor in creating a loophole in the law, which began to allow settlers to enslave Indigenous people who did not adhere to catechization; nevertheless, even this concession was not sufficient to “calm the settlers’ spirits.” The effectiveness of these laws within the period’s legislative powers is called into question, and it made evident the dependence on labor for exploiting the land (Pineiro, 2007).

The second document, the Regiment of the Missions of 1686, allowed that Indigenous people captured<sup>5</sup> by Portuguese missionaries would receive a “guardianship,” a kind of religious enslavement, through which the individual was compelled to convert to the dictates of Catholic rites present not only in the Society of Jesus, but also in other Catholic orders that established themselves in the territory: the Franciscans and missionaries of the Province of Santo Antônio.

It is in this context that the 1700s begin, which would lead to other documents and developments. In 1755, the “Directorate of the Indians” (Diretório dos Índios) was drafted, indicating how Indigenous people should behave in Portuguese colonies, as a transitional period began—characterized by the perception of Indigenous people shifting from non-civilized to citizens, even while institutionally bound to forced labor connected to commerce and exploitation<sup>6</sup>. This document was enacted by the King of

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<sup>5</sup> These captures occurred in a wide variety of ways, such as the establishment of villages controlled by missionaries, the “rescue” of Indigenous people from one ethnic group who had been captured by other ethnic groups, among others. An alarming fact noted by Beozzo (1983 apud Mello, 2009) stated: “The Fathers of the Society [of Jesus] shall have governance not only spiritual, as they previously had, but also the political and temporal governance of the villages under their administration” (Beozzo, 1983, p. 114 apud Mello, 2009, p. 92). I preserve here the wording used by the author.

<sup>6</sup> This line of thinking was still a form of enslavement.

Portugal, Dom José I, through his minister Sebastião José de Carvalho e Melo, also known as the Marquis of Pombal/Count of Oeiras, in 1758.

According to Fernandes (2017), the purposes of this document were as follows:

In its 95 paragraphs, the Directorate outlined profound changes in the Indigenous policy then in force in the colony, legislating on religious, cultural, administrative, and especially economic aspects. It prohibited the use of the mother tongue of each Indigenous nation and of the General Language (Nheengatú), requiring the use of Portuguese. Under this legislation, Indigenous people had to adopt Portuguese surnames; build their dwellings in the style of whites (with internal divisions). Collective housing was prohibited; Indigenous people between 13 and 60 years of age were obliged to work and pay the tithes. As paragraph 95 of the Directorate of the Indians indicates, the objectives of this legislation were: the expansion of the faith; the extinction of gentile practices; the propagation of the Gospel; the civility of the Indians; the common good of the vassals; the increase of agriculture; the introduction of commerce; and the establishment, opulence, and total happiness of the State (Fernandes, 2017, n.p.).

The topic of education is introduced at this moment, not as preparation for public life, but as a way of “polishing” Indigenous peoples—domesticating them—based on European colonial principles, Catholic in orientation, with an economic bias. In this regard, Articles 7 and 8 of this document stated:

7. And since this determination [to be literate in Portuguese] is the fundamental basis of the Civility<sup>7</sup>, that is intended, there shall be in all settlements two public Schools: one for Boys, in which they shall be taught Christian Doctrine, to read, write, and count in the manner practiced in all Schools of civilized Nations; and another for Girls, in which, besides being instructed in Christian Doctrine, they shall be taught to read, write, spin, make lace, sew, and all other ministries proper to that sex.

8. For the maintenance of the aforementioned Schools, and of a Master and a Mistress, who must be Persons endowed with good morals, prudence, and capacity, so that they may discharge the important obligations of their posts, sufficient salaries shall be assigned, paid by the parents of the same Indians, or by the persons in whose power they live, each contributing the portion that is assigned to them, either in money or in goods, always with attention to the great misery and poverty to which they are presently reduced. In the case, however, that there is in the settlements no person who can be a Mistress for Girls, these may, up to the age of ten years, be instructed in the Boys’ School, where they will learn Christian Doctrine, to read and write, so that, together with the infallible truths of our Holy Religion, they may acquire more easily the use of the Portuguese Language (Almeida, 1997, n.p.).

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<sup>7</sup> The author was referring here to the idea that Indigenous languages should be definitively abolished, and that Indigenous peoples should be alphabetized in the Portuguese language, which was Brazil’s official language. The author once again evidences domination and discrimination toward Indigenous peoples by asserting that only those “Indians” deemed “capable” of instruction in this matter (i.e., becoming literate in Portuguese) should undergo this process of “civilization.”

In 1798, however, these rights were revoked due to denunciations of abuses committed by authorities, and Indigenous peoples then began to be equated with other citizens in Brazil. As a result, the Directorate was abolished.

The 1800s brought new transformations to Brazil. The transition from colony to empire imposed new ways of thinking about the status of the land, the economy, and Portuguese dominion over the nation. Queiroz (2019) states that this period can be divided into three moments: “the First Reign (1822–1831), the Regency Period (1831–1840), and the Second Reign (1840–1889)” (Queiroz, 2019, n.p.). In these periods, we see the beginning of the organization of an imperial Brazilian educational system, influenced both by its course as the establishment of public education and by private education (implemented by the Jesuit order), along with all the complexity demanded by the relationship between the State (and its political-military-religious considerations) and education<sup>8</sup>.

Thus, in 1845 the “Regulation of the Missions” was decreed, granting Indigenous peoples the right to lands in villages, while also including an addendum that this same land could be extinguished by the State if it was considered to be in a “state of decline.” Brasil (1845). Still in Article 3 of that decree, it is indicated that it must:

§ 3 Provide against violent removals of the Indians who wish to remain on the same lands, when they have good conduct and present an industrious way of life, chiefly agriculture. In this latter case, and as long as they conduct themselves well, they and their widows shall be maintained in the usufruct of the land that they possess to cultivate (Brasil, 1845, n.p.).<sup>9</sup>

In 1850, with the signing of the Land Law by Emperor Dom Pedro II, large estates (latifúndios) began to exist legally, not merely the small properties already in place. Regarding Indigenous peoples, the law stated that as long as they did not reach the “status of civilized” in the eyes of the empire, they would

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<sup>8</sup> As noted by Pavani and Pacheco (2013), the delay in implementing this educational system is attributed by some historians, such as Martins (2002), to Dom Pedro I. According to the author, this delay is justified by “(...) the lack of financial and human resources and by the disinterest of the elite, who saw in education a possibility of political awareness among a less privileged class that would no longer serve its purposes of domination” (Pavani; Pacheco, 2013, pp. 10–11).

<sup>9</sup> It is important to note that the spelling used at the time has been preserved here; it is not a spelling error.

have only temporary usufruct of the lands. Over the years, these issues would become a kind of assimilationist policy—i.e., cultural differentiations would be avoided in favor of a standard culture whose values were defined by dominant powers. This is evidenced by the State’s constant monitoring of these villages, attesting what it considered the land’s “degree of decline” and the status of Indigenous civilization according to European models. The nineteenth century ends with the Proclamation of the Republic on 15 November 1889, which would bring slow but important advances in the visibility of the Indigenous cause.

### **“THIS LAND ALREADY HAS AN OWNER”<sup>10</sup>: DEVELOPMENTS IN THE 1900s — AND SOME ACHIEVEMENTS**

We thus enter a new period in the Brazilian nation. This period emerged not due to a general popular dissatisfaction of the masses, but rather due to a specific group—the military—who, through countless wars and revolutions, carried forward a plan to establish more autonomous liberal policies that would serve specific regional interests<sup>11</sup>. It is important to understand this context, because it helps us understand why the Indigenous agenda was rendered unviable and left out of the 1891 Constitution,<sup>12a</sup> a fact that once again represents another act of negligence toward the original peoples. Tommasi (2021) notes the following:

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<sup>10</sup> Reference to the phrase uttered by the brothers Orlando, Cláudio, and Leonardo Villas Bôas in the context of the creation of the Xingu National Park, a large Indigenous area comprising multiple ethnic groups.

<sup>11</sup> The last of these rebellions became known as the Farroupilha Revolution (1835–1845), through which Rio Grande do Sul called for political flexibilizations that better served its interests and ran counter to the monarchy. The military wore very worn-out clothing; for this reason, this event is also known as the Ragamuffin War (Guerra dos Farrapos).

<sup>12</sup> At that time, the nation used the name “United States of Brazil”, which was regarded as its first official name under the implementation of the republican regime.

The Indigenous theme occupied a marginal position, while political demand, in this sense, was devoted to consolidating means that would ensure national integration, promote the expansion of republican frameworks, and solidify the bases for an efficient occupation of the national territory. There was almost no concern with the place that Indigenous populations should occupy in Brazilian society. The first republican phase was characterized by debates about the definitions of “citizen” and the rights conferred on different social groups. Only with the advance of the process of secularization of the State did the Indigenous situation find greater space and undergo some change. Their treatment, historically guided by the catechizing program of the Catholic Church, would now become an attribution of state governors, according to a decree of 1889 approved by the Provisional Government (Tommasi, 2021, n.p.).

One nevertheless perceives the situation changing with the creation of the Indian Protection Service (SPI), Decree No. 8.072 of 1910, whose aim was to provide different types of indigenist assistance and also to oversee the implementation of agricultural centers for commercial purposes, as well as the regulation of national workers. Although it may appear to be merely one event among many others that would follow, the SPI would later, in 1967, become the National Indian Foundation (FUNAI), which would bring profound changes to the Brazilian Indigenous question.

However, the path would not be easy. The project of the government in power—that of President Getúlio Vargas—was to expand military and political sovereignty over Brazilian lands at any cost, colonizing along the way whoever was found. The audacity of three brothers—the Villa Bôas—who took part in the government’s colonizing military actions (the best-known being the “March to the West”) attempted—and managed—to change the situation in a positive direction

They tried to sensitize the government to the idea that the country’s sovereignty would be guaranteed not by colonization, but by the possession of the Indians—the land that already belonged to them. The attempt was to change the institutional design of the original project, which was colonization. From contact with the Indians, the idea would be that the territory was not empty. Therefore, our sovereignty would be guaranteed by virtue of the Brazilian Indigenous population already occupying that territory (Jornal da Metodista, 2015, n.p.).

The project to establish a reserve—which was effectively implemented in 1961—nonetheless had its challenges. The many hands that helped to shape it, such as the anthropologist Darcy Ribeiro, the physician Noel Nutels, and many others, saw that contact with non-Indigenous people brought a series of

situations, such as diseases previously unknown to those peoples (tuberculosis, for example), which led to epidemics that decimated a significant number of individuals. The establishment of this territory as an Indigenous reserve, however, represented a milestone in consolidating the visibility of Indigenous peoples.

In 1973, these concerns would sensitize public authorities, and Law No. 6.001 of 19 December of that year would legally regulate the Indigenous situation “with the purpose of preserving their culture and integrating them, progressively and harmoniously, into the national communion” (Brasil, 1973, n.p.). This document was called the Indian Statute (Estatuto do Índio). Although it contained the term “integration” and served socioeconomic interests rather than a legitimate respect for Indigenous peoples, it is indeed one of the first documents in which changes regarding Indigenous visibility advance, establishing rights and guarantees in light of the Constitution. These movements empowered Indigenous leaders who, organized, founded the Union of Indigenous Nations in 1979; and across different parts of the country, the chorus of diverse Indigenous voices grew louder. The people of forests, rivers, and land made themselves heard. The advance in this period was notable. Loebens (2008) states:

Indigenous protagonism begins to manifest with greater intensity starting from the Indigenous Assemblies supported by CIMI, which in the 1970s for the first time brought together leaders of different peoples from north to south of the country. In these Assemblies, Indigenous peoples definitively placed on the agenda the retaking and guarantee of their lands as a condition to combat the violence of which they were victims and to ensure their future. Since then, significant advances have been achieved through articulation, organization, and mobilization (Loebens, 2008, n.p.).

The 1964 military coup and other events demanded changes in Brazil, rendering it unstable with regard to the political, social, and economic scenario.<sup>13</sup> This led political authorities, under the presidency of José Sarney, to establish a period of Brazil’s re-democratization that culminated in the 1988 Constitution, also called the Citizen Constitution. According to Chaves (2017), two important and

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<sup>13</sup> It is necessary here to take into account the two world wars (1914–1918 and 1939–1945), the Second Industrial Revolution (1850–1945), the military dictatorship regime (1964–1985), and many other events of the period.

principal considerations were established through this constitutional decree: the right to lands traditionally occupied by Indigenous peoples and respect for ethnic and cultural diversity (Chaves, 2017). The author also notes that this document breaks with the State's "guardianship" over Indigenous peoples, who until then had been viewed as incapable of fully exercising civil life.

With regard to education, we finally see broken the colonizing idea present in the Directorate of the Indians (1755), which held that, in order to be considered "civilized," "domesticated," and accepted into social life, Indigenous peoples should forget their languages and speak only Portuguese. Now, in the 1988 Constitution, we see the following:

Article 210 — Minimum content shall be established for elementary education, in such a way as to ensure a common basic formation and respect for cultural and artistic values, national and regional.

2. Regular elementary education shall be taught in the Portuguese language, with Indigenous communities also assured the use of their mother tongues and their own learning processes (Brasil, 1988, p. 02).

In this new scenario, Indigenous peoples gained governmental strength and political voice to defend their rights. Recognition came late, but it was a major victory. However, further changes would still occur along this path.

The United Nations (UN) was created on 24 October 1945 with the aim of seeking diplomatic solutions among nations so that other major wars would not occur as they had in that century. The Universal Declaration of Human Rights was proclaimed in 1948, and it would mention that every human being has rights that must be respected, such as access to education, health, freedom of movement, religious freedom, the right to form a family and establish places of residence, the right to land, property, and work, among many others. This document did not intend to impose rules in a hierarchical sense, but rather to promote voluntary adoption so as to inspire nations to follow these measures of respect for people, whether Indigenous or non-Indigenous. Well before its creation, however, another organization arose that is of interest to mention here: the International Labour Organization (ILO).

Founded in 1919 and later incorporated into the UN as an agency, the ILO promulgated in 1989, one year after the promulgation of Brazil's 1988 Constitution, the document "ILO Convention No. 169 concerning Indigenous and Tribal Peoples." This document—of which Brazil became a signatory—recognized, at the international level (with national anchoring), that Indigenous and tribal populations must have their culture (customs, norms, values, worldviews, etc.) respected within the legal sphere with regard to the effectiveness of their civil rights. Among the various recommendations to States contained in the document's ten pages, we highlight here an excerpt from Article 2:

1. Governments shall assume responsibility for developing, with the participation of the peoples concerned, coordinated and systematic action to protect the rights of these peoples and to guarantee respect for their integrity.
2. Such action shall include measures:
  - a) to ensure that members of these peoples enjoy, on an equal footing, the rights and opportunities that national legislation grants to other members of the population;
  - b) to promote the full realization of the social, economic, and cultural rights of these peoples, with respect for their social and cultural identity, their customs and traditions, and their institutions;
  - c) to help the members of the peoples concerned eliminate socioeconomic differences that may exist between Indigenous members and other members of the national community, in a manner compatible with their aspirations and ways of life (ILO, 1989, p. 02).

Another document that followed the 1988 Constitution was the Law of Guidelines and Bases of National Education (LDBEN) of 1996, which would provide specific instructions regarding national education, such as the right of every individual aged 4 (four) to 17 (seventeen) to access education, distributing this obligation among States and Municipalities, as well as the Union, detailing each specific function in fulfilling this duty. Some issues specific to Indigenous peoples would be pointed out in that document, though still modest in view of the broad spectrum of Indigenous cultures and identities on national soil.

This need led to the emergence of the National Curricular Reference for Indigenous Schools, which aimed to meet LDBEN determinations regarding the differentiation between non-Indigenous schools and Indigenous schools, considering values such as cultural diversity, interculturality, mother tongue, and other fundamental elements (BRASIL, 1998). Here we limit ourselves only to the legislative

focus and its importance for the visibility and recognition of Indigenous peoples; therefore, specific details of this and other important documents may not be investigated at this moment. Nevertheless, we underscore here that deeper investigation (and, consequently, greater theoretical development) in the field of Brazilian Indigenous education is of the utmost importance and fundamental.

The fact is that educational systems are developed, structured, and implemented, and the Indigenous question is considered fundamental not only with regard to Indigenous identities and lived experiences, but also to the scope of the history of constructing Brazilian identity.

And thus this period would end with major advances regarding the recognition of Indigenous peoples as sovereign in their lands, cultures, languages, religiosities, and other elements that constitute their identity.

#### **“ALL INDIGENOUS, ALL KIN”<sup>14</sup>: THE 2000s AND NEW SCENARIOS AHEAD**

The 2000s begin with many events. The country completes 500 years since the arrival of the Portuguese<sup>15</sup> amid some protests across Brazil; the Catholic Church speaks out regarding certain errors committed in the past<sup>16</sup> and the Brazilian government undergoes a political transition from Fernando Henrique Cardoso (PMDB) to the Lula (PT) administration, among many other events around the world.

At the international level, two important documents begin to influence further developments in Brazil: the “United Nations Declaration on the Rights of Indigenous Peoples” (2007) and the “American Declaration on the Rights of Indigenous Peoples” (2016). Both documents had as their general objective the recognition of Indigenous peoples as sovereign in all aspects related to their identity, as individuals

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<sup>14</sup> Subtitle based on the song “Tudo Índio” by Eliakin Rufino (2005), an artist from Roraima, in the Brazilian Amazon. Together with Neuber Uchoa and Zeca Preto, he was part of “Roraimeira,” a movement that disseminated Roraima’s and Amazonian identity and, consequently, the multiple Indigenous identities present in that state.

<sup>15</sup> Regarding this, it is difficult to find an appropriate term that best represents the event. Referring to it as “500 years of discovery,” as is widely used, does not seem correct to me, since Brazil was not hidden, and such phrasing appears to cast the Portuguese as “trailblazers” in a “heroic” sense. Calling it “500 years of colonization” also does not seem adequate, considering that colonization occurred during a specific period in history.

<sup>16</sup> Inquisition, Crusades, and hostility toward the Jewish people (Marujo, 2000). However, there was no mention of the religious enslavement perpetrated against Indigenous peoples by the Catholic Church and its orders in Brazil. An apology amid controversies came in 2007, through a comment by Pope Benedict XVI, as reported by G1 (2007).

who had been disrespected, rendered invisible, and persecuted throughout history. In addition, these documents proposed to declare that Indigenous peoples, as peoples recognized by the legal order of nations and at the international level, deserve to have their civil rights ensured and implemented, as well as the development of public policies that include combating discrimination against these peoples.

These international-level recognitions, combined with growing national movements and driven by Indigenous leaders from north to south in Brazil, as well as the occupation of strategic places of political voice by the Indigenous community, led to the conquest of further political and educational territories. The creation of the National Council for Indigenous Policy (CNPI) through Decree No. 8.593 came in this interim with the mission of “(...) drafting, monitoring, and implementing public policies aimed at Indigenous peoples” (Brasil, 2015, n.p.). That is, a political space in which Indigenous peoples gain voice and representativeness in the pursuit of what most represents them. Various educational points were inserted into other documents, such as Decree No. 6.861, of 27 May 2009 — Educational Policy and Ethnoeducational Territories, which would become Bill 9943/18; the National Education Plan (2014), which would include certain topics on Indigenous school education; the updates to the LDB (Laws No. 13.415/2017 and 14.333/2022); and the creation of the National Common Curricular Base (BNCC).

Among these, I highlight here the 2009 decree that became a bill in 2018 and that introduces the term “ethnoeducational territories.” This document was important because: (1) it recognized that educational systems must be created under cooperative regimes among the State, municipalities, and organizations to offer and expand Indigenous school education; and (2) it recognized that territorial differences and specific issues must be taken into account by guaranteeing the participation of the original peoples. These differences may be of various types, such as ethnic, linguistic, geographic, among others. Bergamaschi and Sousa (2015) state:

(...) ethnoeducational territories will be institutional spaces in which federative entities, Indigenous communities, Indigenous and indigenist organizations, and higher education institutions agree upon actions to promote Indigenous school education effectively suited to the social, historical, cultural, environmental, and linguistic realities of Indigenous peoples and communities (Bergamaschi; Sousa, 2015, p. 156).

Thinking about educational public policies has thus been one of the current challenges for Indigenous peoples. Through the National Conference on Indigenous School Education (CONEEI) held in 2009 and 2018, the proposal was the creation of the 1st National Plan for Indigenous School Education (PNEEI), which aims to provide equal and high-quality education for Brazilian Indigenous peoples, considering their specificities. This proposal is still under review both in legislative spheres and in public hearings promoted by the Ministry of Education (MEC), involving different sectors of society in a broader discussion.

Beyond this, other challenges are also tangential to Indigenous peoples, such as the advance of mining on their lands, demarcations, the constant monitoring of the inclusion of their agendas in public spheres, the guarantee of their civil rights, and respect for their practices, lived experiences, and identities.

In order to organize the information noted, identified, and analyzed here, I present below a table that brings together the main historical events related to Brazilian Indigenous peoples, based on 35 (thirty-five) relevant documents and/or events in Brazil's Indigenous history:

**Table 1***Main social and educational historical events related to Brazilian Indigenous Peoples*

1500	Pre-Colonization
1500	Arrival of the Portuguese — Colonial Brazil
1570	First law against Indigenous captivity
1609	Law reaffirming the freedom of Indigenous peoples in Brazil
1686	Regiment of the Missions
1755	Directorate of the Indians
1798	Abolition of the Directorate of the Indians
1822	End of Colonial Brazil and beginning of Imperial Brazil
1845	Regulation of the Missions
1850	Land Law
1822	Proclamation of Brazil's Independence
1889	End of Imperial Brazil and Proclamation of the Republic
1891	Constitution of the Republic of the United States of Brazil
1910	Indian Protection Service (SPI)
1948	Universal Declaration of Human Rights — UN
1961	Xingu Indigenous National Park
1973	Indian Statute
1967	National Indian Foundation (FUNAI)
1979	Union of Indigenous Nations
1988	Constitution of the Republic of Brazil / Citizen Constitution
1989	ILO Convention No. 169 concerning Indigenous and Tribal Peoples
1996	Law of Guidelines and Bases of National Education (LDBEN) — Law No. 9.394/1996
1998	National Curricular Reference for Indigenous Schools
2007	United Nations Declaration on the Rights of Indigenous Peoples
2009	Decree No. 6.861, of 27 May 2009 — Educational Policy and Ethnoeducational Territories
2009	1st National Conference on Indigenous School Education (1st CONEEI)
2014	National Education Plan
2015	National Council for Indigenous Policy (CNPI) — Decree No. 8.593
2016	American Declaration on the Rights of Indigenous Peoples
2017	Update to the Law of Guidelines and Bases (LDB) — Law No. 13.415/2017
2017	Creation of the National Common Curricular Base (BNCC)
2018	1st National Conference on Indigenous School Education (1st CONEEI)
2018	Bill 9943/18 in reference to Decree No. 6.861, of 27 May 2009
2023	Creation of the Ministry of Indigenous Peoples
2023	Change of FUNAI's name from "National Indian Foundation" to "National Foundation of Indigenous Peoples"

Source: Prepared by the author.

The preparation of this table takes on an informative character so as to point out the main events related to Indigenous peoples in Brazil, considering the context that led to the promulgation of the official documents listed here. This does not mean they are the only events, or that others do not deserve emphasis. However, mentioning them becomes fundamental for understanding how we arrived here and the next steps we must take forward as an Indigenous nation.

## **FINAL CONSIDERATIONS**

As can be observed throughout this text, Brazilian Indigenous history is marked by profound wounds inflicted upon these peoples, who suffered discrimination, persecution, and violations of every kind, resulting in an Indigenous holocaust of great proportions that, to this day, reverberates in the nation. And it must reverberate. We must recall this history and emphasize its non-erasure, so that not only history books recount (in a limited way, as unfortunately they have done) the facts, but legislation accompanies events and the Indigenous people's outcry for their effective rights and for the preservation of their identity and history.

Cunha (1992, p. 02 apud Buratto, n.d.) reminds us well of this. The author states:

If the law cannot be confused with a description of reality, reality, in turn, cannot evade the existence of the law, which inflects it. But the law is, in itself, a form of reality: the way in which portions of a dominant class represent to themselves the social order.

Here I attempted to address as much information as possible concerning official documents promulgated/decreed by constituent public power in different periods, including, at certain moments, pointing to the context from which these documents emerged. This is important to underscore because the context dictated the event. From an interdisciplinary standpoint, I addressed, in light of history, anthropological, educational, and even legislative elements concerning these peoples—something that indeed proved to be a necessary path to follow.

Drawing from other disciplinary sources was necessary so that I could tell the history as I wished, considering that the *Zeitgeist*<sup>17</sup> changed as many other developments arose. As Santos (2022) points out: “To excavate research is to tell a story” (Santos, 2022, p. 82).

And I left many things out due to textual limitations. The different Indigenous ethnicities—each rich in its own culture and history—reveal that, in each region, the context displayed other scenarios; and if I were to detail them, each would deserve its own space of voice. If I spoke of the Amazon in Brazil’s northern region, for example, I would perceive that, in certain moments, this region would assume a leading role in violations and violence against Indigenous peoples, losing the peripheral air it held in relation to the rest of Brazil.

And, regarding the Amazon, an addendum with some considerations. Still in the colonial period, the “drugs of the backlands” would be discovered by the Portuguese and massively exploited for profit. Years later, other events would lead the Amazon to the same status—Brazil’s commercial nucleus based on the exploitation of forced Indigenous labor due to latex extraction from rubber trees, a period known as the “Amazonian Belle Époque” or the “rubber cycle.” This period occurred in the transition from Imperial Brazil to Republican Brazil, but the factor that determines this event is not the Brazilian political scenario, but rather the First World War (1914–1918) and the Contestado War (1912–1916). As mentioned, textual limitation was decisive so that such region-specific details (such as the Amazon, for example) would not be addressed throughout the text in detail.

Thus, contexts are important and fundamental, because understanding them is to read their respective scenarios more deeply, thereby providing a broader understanding of a given fact.

I then arrived at the theme of Indigenous education, considering the legal mechanisms of legislative support that were created throughout history. As Buratto (n.d.) notes, until the mid-twentieth century, governmental education offered to Indigenous peoples had a bias of “catechization and forced integration of Indians into national society” (Buratto, 2008, p. 02), which obscured Indigenous cultural

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<sup>17</sup> A set of “dominant” ideas/characteristics (in this case, colonizing ones) that were part of a particular historical period or geographic location.

visibility, denying their values and identity. From then to now—considering the movement toward constructing the 1st National Plan for Indigenous School Education (PNEEI) in 2022 and the creation of the Ministry of Indigenous Peoples in 2023—it is possible to visualize many advances in the theme.

One must recognize the invisibilization, disrespect, abuses, violations, and discrimination suffered by Indigenous peoples over the centuries; but in the same movement, also recognize that certain modest victories were achieved—even if belatedly—and are imprinted in official documents and through the blood of their ancestors. This history must be widely discussed and presented also through a bibliographic-documentary perspective of events and legislative documents; but that, it is hoped, will fit in another moment.

In the current Brazilian context, Indigenous people have political voice; they occupy university spaces, as well as media, artistic, and cultural spaces, in forests and in cities, including at an international level. This, of course, is not sufficient. To focus on the present without looking to the past is to massage the possibilities of errors and to weave affections with negligence.

By contrast, during the four years of the Bolsonaro government (2019–2022), it is worth mentioning that a setback was perceived with regard to advances in the Indigenous cause, which runs counter to this scenario. In four years of the Bolsonaro administration, Indigenous lands were not demarcated, nor were quilombos, national parks, or environmental protection areas created. As Greenpeace (2021) indicated, only in the period between 2020 and 2021, an increase of 21.97% in the destruction of the Amazon biome was found (Greenpeace, 2021). The former president also legalized mining (previously illegal) through a decree disguised as “regional development,” officially called “Artisanal Mining.” One must also recall the deaths of Brazilian indigenist Bruno Pereira and British journalist Dom Phillips, who were brutally murdered in the Javari Valley, an Indigenous area in the Amazon, during a trip in 2022 aimed at gathering denunciations about illegal activities in the region.

In addition, this government instituted a “new FUNAI” with anti-Indigenous policies that included “(...) hollowing out the entity’s staff, budget cuts and team reductions, episodes of institutional

harassment, and the appointment of military personnel to key posts” (Mirkhan, 2022, n.p.), and it harshly criticized the Marco Temporal, among other forms of negligence that represented moving backward.<sup>18</sup>

According to Le Tourneau (2019), the ideological foundations behind such actions of this misgovernment are illustrated in three points: (1) the strength of the ruralist political caucus—a sizable group that defends agribusiness based on exploiting land at any cost that yields high royalties; (2) groups of official military officers and generals installed in government who consider the Amazon “vulnerable to foreign interests”; and (3) the missionary action of radical evangelical churches that seek to save souls while also condemning practices and ways of life viewed as immoral or primitive (Le Tourneau, 2019).

One must remember what happened, and it is necessary to make new generations remember, so that we may point toward a place where these violations no longer occur, and where Indigenous peoples may be respected in the fullness of their identities. Thus, I agree with Freire (2016) that incorrect ideas about Indigenous peoples—circulating in the thinking of most Brazilians—are exemplified in five misconceptions: (1) Indigenous culture is generic (thinking that all are “the same thing,” i.e., have the same culture, the same race, the same language); (2) Indigenous culture is backward (the label “primitive” is also commonly and erroneously associated); (3) Indigenous culture is frozen (the “frozen image” here is of an Indigenous person in a loincloth or without clothes, with bow and arrow, living only in the forest); (4) Indigenous culture belongs to the past (some consider that Indigenous culture is an obstacle to modernity and progress); and (5) the Brazilian is not Indigenous (here, the author points to the fact that Brazilian identity is constituted—mainly, though not only—by three major matrices: a European matrix, of Portuguese colonizers and others; African matrices and their varied peoples; and Indigenous matrices

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<sup>18</sup> The Marco Temporal, it is worth mentioning, is a public dispute brought by the State of Santa Catarina against FUNAI and the Xokleng Indigenous people concerning the reinstatement (repossession) of land holdings of this people which, according to FUNAI’s ethnographic data, the Xokleng have traditionally held the right to—land that was occupied by their ancestors. This is important for all Brazilian Indigenous peoples because the Federal Supreme Court decided that the case should have “general repercussion,” meaning that its outcome will apply to other similar cases. According to Ciscati (2021), two constitutional interpretations fuel the debate: those who argue that Indigenous peoples have rights only to the lands they already occupied/claimed on 5 October 1988, the date of promulgation of the 1988 Constitution; and those who defend the thesis of “indigenato,” under which Indigenous peoples could claim lands traditionally occupied by their ancestors at any time (Ciscati, 2021).

with their diverse linguistic trunks. The one that predominates in discourse is often the European one, and the others are not even considered) (Freire, 2016).

Thus, the first step in the struggle to make the human and civil rights of Indigenous peoples effective is recognition of their history. The second step is affirming the importance of their identities in the formation of Brazilian identity in different ways: decrees and laws that benefit their people, the organization of movements, entities, and acts in favor of their fundamental guarantees, among others. The third is Indigenous occupation of public spaces, as holders of speech who deserve to be heard, debated, and attended to. The fourth is adopting an anti-racist stance, because, as Diangelo (2020) argues, it is not enough to not be racist; we must be anti-racist. That is, recognizing that racism—whether committed against Black populations, Indigenous peoples, or other groups/individuals—is a structural problem of society that deserves effective public policies to combat it and bring about its elimination. Perhaps then, by following these steps, we will endure longer as human beings and postpone the end of the world as much as possible<sup>19</sup>.

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<sup>19</sup> Referência à obra ‘Ideias para Adiar o fim do Mundo’ do pensador indígena Ailton Krenak. Aqui ele apresenta uma parábola onde tece críticas aos mercados, a ideia de progresso humano, às questões ambientais e a ideia de civilização.

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