



Brazil's landless movement and rights 'from below'

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ABSTRACT

Recent literature has recognised the value of food sovereignty and human rights frameworks in agrarian struggles. Relatively little attention has gone toward how agrarian movements develop and apply their own rights discourses to further demands for social justice. This study considers Brazil's landless movement (MST) between 1984 and 1995, revealing three distinct rights discourses that recruited and mobilised protest by linking local issues to the movement's broader political project. The findings illustrate the value of rights, frames and ideology as analytical tools, shedding light on how movement-generated rights emerge through processes of reflexivity and in response to dynamic social-political contexts.

1. Agrarian movements and rights

In recent years, claims to food sovereignty rights and the human rights framework have been at the forefront of discussions about the role and value of rights in contemporary agrarian struggles (Wittman, 2011; Monsalve, 2013; Claeys, 2012, 2014a; 2014b, 2015; Meszaros, 2007, 2013). Scholars have highlighted the value of movement actors' resorting to the rights framework, as well as to associated legal instruments and mechanisms. These rights claims, which are intended to be applicable across jurisdictions, can provide a common language for national and transnational networking and advocacy, redraw the boundaries between what is considered just and unjust (Claeys, 2015), and help bring pressure to bear on intransigent governments through reporting mechanisms and domestic courts (Monsalve, 2013). Activists have claimed rights through political as well as legal strategies, including land occupations, demonstrations, and litigation. As characteristic features of contemporary agrarian struggles, rights have been identified as offering promise for advancing the interests of the rural poor globally (Monsalve, 2013).

Relatively little attention, however, has gone toward considering how agrarian movements develop and apply their own rights discourses to further their demands for social justice. Here, we make a distinction with frameworks of wide application, such as food sovereignty and human rights, and refer to 'rights discourses' to mean the sets of strategic, ideologically-informed *collective action frames* employed by movement leaders or 'framers' that reformulate people's issues, needs and grievances in *rights terms*, and which are then used as a basis for mobilisation and claim making. These rights discourses may be

grounded in particular worldviews and ideologies, being too narrow and particular to constitute generic or globally-transferable rights 'master frames' (Benford, 2013; Snow and Benford, 1992) but sufficient for mobilising adherents around specific causes. Appeals to these rights discourses can mean that human rights and other normative frameworks such as food sovereignty may at times occupy only a peripheral place in agrarian movement activism. As set out in the following sections, this was the case for Brazil's Landless Movement (MST) over the period 1984–1995.

Many leftist movements have had an ambiguous relationship with rights. Marx appeared to write off human rights as an ideology of class rule and as a mechanism for sustaining class power, and more recent descriptions have considered rights and the human rights movement as companions to the neoliberal order (Moyn, 2014). The 'emancipatory edge' of rights also falls under the microscope when the language of rights is picked up and incorporated into the development policy and practice of international agencies like the World Bank and organisations that 'do' rural development. However, in recent years scholars have begun drawing on history and social and political theory to re-examine the contemporary and historical relationship between rights, social movements and activism (O'Connell, 2018; Baxi, 2000, 2008; Stammers, 2003, 2009; Belden Fields, 2003; Douzinas, 2000; Filho, 1990; Santos, 2002; Van Isschot, 2015). Neil Stammers (2003, 299) for instance, in re-examining several historical cases including the levellers and the diggers in England and the Haitian Revolution at the end of the eighteenth century, contends that some of the important innovations in the development of human rights 'were initially constructed and articulated as challenges to relations and structures of power.' Rights are

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understood as social processes developed and made meaningful in movement activism as attempts to render power visible (Stammers, 2003, 2009). Other scholars have focused on ontological questions and conceptual linkages between rights and movements, such as Belden Fields (2003) who sees rights emerge in struggles against various forms of domination in favour of particular resources and practices as well as identities. Also notable is the work of Brazilian jurist Roberto Lyra Filho (1990; also Sousa Junior, 2017) which identified the content of law with historical struggles for emancipation – the so-called ‘law found on the street’, that became the title of a series of courses run by the University of Brasilia on themes that include health, women’s rights, and agrarian law.

Our approach to rights ‘from below’ considers the treatment of rights within the MST, in terms of the rights discourses employed by the leadership. These rights discourses informed, shaped and guided the social and political activity of movement members. We have access to these through the movement’s monthly journal, *Jornal dos Trabalhadores Rurais Sem Terra* (JST), which served as an important channel of communication from the leadership to movement members. As such, we take how activists, leaders, committees and intellectuals in the MST constructed rights to illustrate rights ‘from below’. We recognise, however, that while such discourses are taken to be representative of movements (Johnston, 2013), movement heterogeneity and diversity in political views, social classes and identities can mean this is not always the case (Edelman and Borras, 2016; Caldeira, 2008; Wolford, 2007, 2010; DeVore, 2015).

With this in mind, the next section examines the literature on rights, frames and ideologies. This social movement literature provides a set of conceptual tools that are useful for studies of agrarian movements like the MST. Following this, we provide a brief background to the MST and present our case study. We focus on the period 1984–1995, a time when the MST had a strong rights language but viewed the law with scepticism as a tool for social change (Meszaros, 2007). We identify the main rights claims as well as the contexts, background and circumstances in which in which they emerged. We also explicate the content of MST rights claims and illustrate how that content shifted over the 11-year period. By looking at how rights are discussed and developed and emerge as claims made by various actors, we can better understand the role of rights as a ‘modality of protest’ (Van Isschot, 2015, 14) in the politics of agrarian movements. We conclude by discussing the main findings, reflecting on the relationship between rights claims and ideology, linkages between rights and notions of ‘struggle’, and the importance of social-political context.

2. Rights, frames and ideologies

Rights may be used as a way of articulating or *framing* issues, needs and grievances for movement adherents to mobilise around (Goffman, 1974; Benford and Snow, 2000; Westby, 2002). Social movement scholars have identified an important role that social movement actors play when they ‘frame, or assign meaning to and interpret relevant events and conditions in ways that are intended to mobilise potential adherents and constituents, to garner bystander support, and to demobilize antagonists’ (Snow and Benford, 1988, 198). As analytical tools, frames and framing have been used for the study of agrarian movements and contentious politics (Wolford, 2010; O’Brien and Lianjian, 2006; Peña, 2016; Wittman, 2009; Mason, 2004; Kowalchuk, 2005; Claeys, 2012; Rothman and Oliver, 1999; Hammond, 2004). Frames identify what should be looked at, what is important and give an idea of what is going on (Johnston, 2002; Benford and Snow, 2000; Gamson, 2013; Snow, 2012). Rather than being fixed and static, frames ‘are continuously being constituted, contested, reproduced, transformed and/or replaced during the course of social movement activity’ (Benford and Snow, 2000, 628).

Frames are also closely linked to movement ideology (Snow and Benford, 1988; Snow, 2004; Oliver and Johnston, 2000; Westby, 2002;

Johnston and Noakes, 2005). For Benford and Snow (2000), a movement’s ideology may serve as a ‘cultural resource’ for frames and framing activities. Ideologies consist of values, beliefs and goals, and collective action frames succeed where they are able to articulate and amplify these alongside events and actor’s experiences (Benford and Snow, 2000; Snow, 2004). Westby (2002: 291) outlines some ways in which frames and ideology interlink in practice. He advances a narrower view of ideology as the ‘dominant discourse of a movement ... a relatively elaborated code or doctrine that is the charter or template defining the movement itself and which exists only in the identities of its adherents.’ He suggests a recasting of framing to one of *strategic discourse* derived from a movement’s strategic priorities and movement ideology. Frames or ‘strategic discourse’ may be derivative of ideology, but they may also be suppressed or made remote by it, or may even step outside of ideological boundaries. Much like frames, movement ideology is not usually static because there are often internal struggles over ideology within movements, and collaboration between groups and movements can involve ideological variants (Westby, 2002). Moreover, there may be disagreements over aspects of ideology, and some movements may weave disparate ideological components together.

Framing a matter in terms of rights is to provide a particular angle or perspective on a problem (Oliver and Johnston, 2002; Monsalve, 2013; Claeys, 2014b). The benefits and limitations of rights framings in the context of agrarian contention has been discussed elsewhere (Monsalve, 2013; Claeys, 2014b), but some additional points are worth mentioning. As a modality of protest, rights do several things. They discursively shift people experiencing the problem from needs-bearers into rights holders, placing a justice lens over frustrated needs (Claeys, 2014b). Unmet needs are recast as forms of deprivation and non-recognition in which other actors such as the state, corporations and local powerholders are implicated. Rights usually count on some conception of solidarity, either in the form of universal claims on account of being human or more exclusive, collective claims that are grounded in the social positions of particular groups, such as ‘indigenous’, ‘peasants’ and so on. When rights are employed in movement framing they typically incentivise members and potential supporters to become active rights claimants. They confer inward duties to participate in movement activities such as signing a petition, joining a demonstration or engaging in civil disobedience. In underlining the improper, inadequate or even non-existent actions and behaviours of other actors, movements employing rights typically advocate in favour of alternative actions and behaviours and press these ‘duties’ upon the implicated actors. Examples include demands on the state to provide more protection for environmental activists, or to reduce rural poverty through land reform.

Rights norms can form part of an overarching rights ‘master frame’ that is generic and ‘wider in scope and influence’ than everyday social movement frames, and which allow multiple meanings and interpretations to operate within them (Benford, 2013, 2; Polletta, 2000; Valocchi, 1999; Benford, 2013). Social movements employ these types of frame which are based on constitutional or global human rights norms, interpreting them in relation to the needs and circumstances of their communities and bringing them into their struggles (De Feyter, 2006; Polletta, 2000; Benford, 2013; Valocchi, 1999). Movement leaders may typically play a role in translating global – and even constitutional – norms into the local vernacular, as ‘knowledge brokers between culturally distinct social worlds’ (Merry, 2006, p.38). Global norms are also sometimes appealed to in repressive contexts, or where states have a poor record in protecting rights generally (Keck and Sikkink, 1998; Edelman, 2008; Tuong, 2009).

These particular studies hinge on cases where constitutional or universal human rights are employed. But what about movements which do not draw explicitly or entirely on universal rights? Claeys (2012; 2014a) borrows the master frame concept to examine how the transnational social movement La Via Campesina (LVC) has developed a global rights discourse that goes beyond universal or constitutional

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