

PII: S0261-3050(99)0002-9

Law and Disorder: The Brazilian Landless Farmworkers' Movement

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Abstract — The Brazilian Landless Farmworkers' Movement (MST) occupies idle farmland and demands that it be expropriated under the terms of Brazil's agrarian reform law. The MST uses illegal tactics in the field to force the government's hand and at the same time asserts its legitimacy with legalism and invocation of public sentiment in favor of land reform. It confronts repression promoted by the landowning class and increasingly from the state itself. Through the combination of militant and legal tactics it has won expropriation of many farms and turned them into successful agricultural enterprises. © 1999 Society for Latin American Studies. Published by Elsevier Science Ltd. All rights reserved

Key words — Landless Farmworkers Movement, MST, land ocupations, agrarian reform, popular movements, Brazil

The Movement of Landless Farmworkers (Movimento dos Trabalhadores Rurais Sem Terra, MST) is unquestionably the most dynamic and influential political movement in Brazil today, occupying and farming idle farmland to maintain steady pressure for agrarian reform and winning ample support among the Brazilian public and internationally. This raises two questions. First, why is the land question still a major political issue in Brazil, despite rapid industrialisation and urbanisation in the last three decades? (I use the term 'land question' as it is used in Brazil, shorthand for the complex of issues regarding concentration of land ownership, agricultural productivity, and rural poverty and unemployment.) Second, how has the MST maintained its momentum when other movements appear becalmed?

The land question persists because agriculture and rural social relations are still of fundamental economic, social, and political importance. Agriculture still accounts for a large share of exports and its distortion by export production leaves a significant food deficit. Rural poverty is extreme and due to the maldistribution of land ownership. Landowners exercise a political weight disproportionate to their numbers, and disproportionate to their economic power, even among the capitalist class — and they do not hesitate to back it up with paramilitary force. For all these reasons agrarian reform remains a target of agitation.

The MST is strong because it has a strategy which manages to combine a moderate and legalistic image with militant mobilisation of its base. The former gives it credibility in public opinion and some claim to legitimacy while the latter gives it clout. Its slogan boldly declares, 'Reforma agrária/Na lei ou na marra' ('Agrarian Reform/By law or by disorder¹'), but the movement manages to have both. This strategy is partly dictated by the structural situation it confronts, partly a matter of deliberate choice.

The land question will not go away: while much of Brazilian agriculture has modernised technologically, it remains socially backward, dominated by archaic property relations and supporting a political system which exacerbates their effects. Land concentration has risen steadily since 1940; in 1985 the two per cent of farms greater than 1000 hectares in size occupied 57% of farmland (Hall, 1990: 206; Thiesenhusen and Melmed-Sanjak, 1990: 396). The political power of landed interests and the stark conditions of rural poverty stand in the way of an inclusive democracy and a modern political system.

THE ENDURING AGRARIAN QUESTION

There are reasons why the land question might be expected to become irrelevant in most of Latin America as the region becomes predominantly industrial and urban and the agricultural sector, too, modernises. When agrarian reform was first seriously proposed in several countries in the 1960s, it was intended to serve three goals: efficiency in agricultural production, (some measure of) equity through a redistribution of income and wealth, and economic growth by broadening the domestic market.

The effect of agrarian reform was paradoxical: agriculture has been modernised and rationalised, and productivity has increased significantly, in many countries. But the effect has mainly been felt in the nonreformed sector, where landowners increased productivity to preempt expropriation. Real agrarian reform generally proved politically unfeasible; landowning interests threatened to withdraw their support when governments attempted it, so officials undermined their own programs, '[taking] away by stealth what they had given with a flourish' (Thiesenhusen, 1995: xi; cf. de Janvry, 1981). Agrarian reform policies themselves were halfhearted, limited to land distribution and not supported by necessary credit, infrastructure, or technical assistance. They seem to have been designed to fail. Meanwhile, the policies actually pursued benefited the wealthy and accelerated the concentration of landholding and the use of labour-saving inputs, thus exacerbating rural poverty.

In the 1970s an alternative set of policies was pursued under the rubric of 'integrated rural development.' These policies presumed that the problems of peasants were sufficiently distinct from those of capitalist agriculture that the former could be addressed without any redistribution of large properties. These programs too had little impact (Grindle, 1986: 160–175).

Some of the rural poor have taken advantage of government policies and shifting international markets to improve their condition either as stable wageworkers or medium-scale farmers, but equity for the masses of the population dependent on agriculture has ceased to be a major policy goal, in part precisely because productivity has improved, in part because the restructuring of agriculture and urban growth have left the rural poor with even less of a political claim than before. With neoliberalism, in any case, redistribution and equity are clearly no longer important objectives. The goal of expanding the internal market has been replaced in the neoliberal Washington consensus by the lowering of costs to promote exports.

In most of Latin America, then, the wave of reform has achieved its first goal, increased productivity; neither the goal of equity nor the goal of expanded consumption in rural areas has an effective political constituency and the political economy dominant in the region seeks to promote agricultural efficiency by other means than redistribution. Thus agrarian reform should become superfluous as societies modernise, depend less on agriculture, and achieve sufficient agricultural productivity to feed the population.

Brazil never had an agrarian reform of any consequence. The most serious attempt, beginning in 1962, was one of the causes of the 1964 coup which initiated twenty-one years of military rule. The military governments stimulated a process of conservative modernisation of agriculture in the already-settled areas, emphasising mechanisation and chemical inputs which greatly increased productivity while displacing traditional rural labourers. As an outlet for the displaced peasants and farmworkers, the officers also promoted colonisation of the country's vast virgin territories, mostly in the jungle. But colonisation became a land grab and a source of further enrichment for those with investment capital (Grindle, 1986: 76–77; Hall, 1987: 527–530; Houtzager, 1998: 113–116; Pereira, 1997: 40–48).

Brazilian agriculture has thus modernised significantly since 1964 without redistribution. Productivity has improved in some areas and vast new areas have been opened to cultivation, or at least to property claims. The prevailing economic model is not particularly concerned with equity, while the present government, despite a declared policy of redistributing land, is tied to agrarian interests that see land reform as a revolutionary threat.

Land nevertheless remains a major issue, economically, socially, and politically. Though agriculture's economic significance has declined considerably in the last 30 years, it remains substantial: the sector accounts for 40% of Brazil's exports and 25% of employment. Living conditions are far worse in rural than in urban areas: 56% of the rural population, but 39% of the urban population, was below the poverty level in 1990, while the level of schooling averaged 2.6 and 5.9 years, respectively (Valdés and Wiens, 1996: 7, 9, 25). Poverty impels migration to already overcrowded cities.

Less noted but equally important is the political power landowners still exercise. Concentrated landholding and repressive labour relations in agriculture have weighed heavily on Latin American political structure since independence, impeding the consolidation of democracies well into the twentieth century (Moore, 1966; Rueschemeyer *et al.*, 1992). In Brazil, the legendary backlands 'colonels' still control local political machines, deploy goon squads to intimidate those who challenge their control, and benefit from the extreme overrepresentation of rural states in congress.

With the inauguration of the New Republic in 1985, President José Sarney presented an ambitious agrarian reform bill. In response, landowners organised. They lobbied to get the bill watered down; they founded an organisation, the Ruralist Democratic Union (UDR), which organised small farmers openly to oppose the bill and paramilitary squads covertly to intimidate farmworkers and peasants. Provisions proposed for the 1988 Constitution were also watered down, leaving only very weak provisions for agrarian reform. In essence, land can only be expropriated if it is not producing. Landholdings which are productively farmed, however large, are not subject to expropriation.

The UDR's independent presidential campaign in 1989 was a failure, and the organisation formally disbanded in 1994 (to be reconstituted locally in 1996), but the 175-member 'ruralist bloc' (bancada ruralista) remains the most cohesive group in the congress, with a membership ranging across the political spectrum from the far right to President Fernando Henrique Cardoso's own center-left Social Democratic Party (PSDB). Cardoso depends on the ruralists' support to enact his ambitious project of administrative reform (FSP, 19/05/96; Gros, 1992: 60–63; Grzybowski, 1987: 15; Hall, 1990: 218–22; Tavares, 1995: 23–26).

WHY THE MST?

There are several reasons why a leftist popular movement calling for land redistribution might be expected to be moribund in today's Brazil. Most of the political movements that flourished at the end of the dictatorship and in the first years of the New Republic are more or less demobilised. They contributed importantly to the events which led to the end of the dictatorship, and mobilised dramatically to influence the Constituent Assembly; but in the years since then they have lost strength. They converged to form the most surprising political party on the Brazilian scene, the Workers' Party (PT); but after two presidential defeats and a mediocre showing in the 1996 elections, the PT too shows little direction.

The MST, on the other hand, is active and assertive. In 1996 it organised 167 occupations, more than in any previous year; in November, 1997, according to MST leader João Pedro Stédile, there were 244 encampments with 50,000 families awaiting resolution of land disputes (FSP via BOL, 16/12/96; Souza 1997: 29). It was honored by the King Baudouin Foundation of Belgium in March 1997, 'for its essential role in putting into practice agrarian reform in Brazil' (Sejup 267, March 20, 1997), and it has reached the pinnacle of recognition by Brazilian popular culture, the telenovela: during much of 1997 the eight o'clock telenovela on TV Globo, O Rei do Gado (The King of Cattle), was the story of a land occupation, with a hero who resembled MST leader José Rainha and Senator Benedita da Silva appearing as herself in a cameo role (Bucci, 1997: 16; Osava, 1998). MST activists completed a two-month, thousand-kilometer march from three points around the country to Brasília, the capital, on April 17, 1997, commemorating the massacre a year before of 19 farmworkers by Military Police in a demonstration in Eldorado do Carajás. At least 30,000 demonstrators (according to police estimates) rallied in opposition to the government; Cardoso and his cabinet, having originally dismissed the march, had to backtrack and meet with its leaders the following day (FSP via BOL, 4/18/97 and 4/19/97; Sejup 270, April 24, 1997).

The MST has maintained a high level of organisation in rural areas throughout most of the country (it is active in 22 of Brazil's 27 states) and captured the attention of city dwellers. Despite the country's vast size and extreme variety of rural conditions — relations of production, land tenure patterns, and ideological tendencies — which might produce a heterogeneous set of rural movements, and against the demobilisation of progressive movements in the post-cold-war, neoliberal era, this one movement stands out. I shall argue that its successes are due to a strategy well-suited to the situation it faces in the countryside and in the country as a whole. It presents a public and a private face, the public face emphasising legality and victimisation, the private face emphasising tight organisation and solidarity. The combination maximises public acceptance and mobilisation of militants at the same time.

The public face has three main elements: first, effective use of the existing legal system to gain advantages that that legal system, unprompted, would not provide. Land occupations are based on the 1985 agrarian reform law which provides for the expropriation and redistribution of unproductive farmland, but the law is not enforced in the absence of direct action. Second, an appeal to common-sense economic goals: the MST can claim that by bringing idle farmland into production it provides work for large numbers of unemployed rural workers, increases the food supply, and stems the flow of urban migrants. (Many in the urban middle class blame the high crime rate on migrants, and the prospect of keeping them out of the cities appears to give agrarian reform an appeal as a form of social cleansing.)

making the land they occupy double as high moral ground.

Internally, the MST benefits from the tight organisation which land occupations require and which also responds to the ideological conviction of the leadership. Occupations are an ideological hothouse which cultivates members' commitment. As occupiers take over a property to farm, and even more, as they camp out before an occupation is legalised, isolation forces them to create community and organisation among themselves; their engagement in securing a livelihood, political self-defense, and education cultivates a sense of community (Gaiger, 1987; Scherer-Warren, 1988: 251–252; Torrens, 1994; Zimmerman, 1994).

The combination of the public and internal faces has achieved real victories. The traditional Brazilian rallying cry, 'Agrarian reform/By law or by disorder,' which the MST has adopted, poses the two as alternatives, but the conditions in which the movement operates and its own strategic choices have worked together to allow it to use both law and disorder, and to get the most out of each of them.

The first land occupations in the movement which later became the MST occurred in Rio Grande do Sul in 1978. With the support of the Pastoral Land Commission (CPT), an arm of the Catholic Church established by the National Conference of Bishops of Brazil in 1975, occupations multiplied in the southern states in the next few years. The historical conjuncture was favourable: under pressure from popular movements, the military dictatorship had begun the process of *abertura*. Church support was a major factor in the spread of rural movements, as it was for urban movements and the new labour movement. Predominant among the early land occupiers were descendants of German and Italian immigrants who had settled the southern part of the country; occupations were supported by the Lutheran Church as well as the CPT (Brumer, 1990; Gaiger, 1987; Scherer-Warren, 1988).

The first occupations occurred independently in several regions. Leaders came together from around the country to found the MST in 1984. It held its first national congress in 1985. It endorses three goals: land for landless rural workers, agrarian reform 'in a broad sense, to change the landowning structure of the country and guarantee land and complementary measures to all who want to work,' and a more just society (Görgen and Stédile, 1993: 35–37). The MST does not hesitate to keep the word socialism prominent in its vocabulary. The immediate objective of land for a specific group of workers is thus closely linked to long-term goals.

The MST occupies rural properties and then seeks legal title under the cover of various federal and state laws. The 1985 agrarian reform law provides that farmland which is not being farmed productively can be declared 'of social interest' and expropriated. Other laws allow for takeover of properties for which no one has a proper title,² and sometimes the movement occupies publicly-owned (state or federal) potential farmland from which it calculates that it is unlikely to be evicted.

A Marra

Though expropriation is provided for by law, authorities generally do not act unless direct action forces their hand. Even after an occupation, expropriation usually requires a long legal process.

The MST identifies sites which it believes are eligible for expropriation. At the same time, it recruits occupiers. An occupation can involve anywhere from 200 to 2,500 families. Some are recruited in the immediate vicinity and others in larger towns and cities. They meet

regularly for a period of months, undergoing political education and preparation for the effort, in 'origin groups' in their places of residence. At any given time the MST has a large number of origin groups meeting regularly. Each group normally develops cohesiveness while preparing itself and remains together as a sub-unit while camped out and when finally settled on an expropriated property.

Once an occupation is decided on, several groups from various localities will be called to join it. Maintaining secrecy while planning requires considerable effort. The occupation itself is an even more impressive feat, mobilising thousands of people overnight, some of them from substantial distances, with rented buses and trucks borrowed from sympathetic organisations ('Olhai ...' 1994; Paiero and Damatto, 1996).

The landowner (or claimant) typically responds to an occupation by petitioning a local court for an order of restoration of possession (reintegração de posse). Local courts where the petition is heard in the first instance are part of the local governing structure, notoriously favourable to landowners. They usually respond with an order of eviction, which may be carried out with greater or lesser force depending on negotiations between the occupiers and the police. Evictions can become major political events in which not only the courts and police but landowners' organisations and politicians supporting each side become involved. Landowners often hire thugs to intimidate the occupiers; violence is most likely to be directed against them at the time of initial occupation or eviction.

After eviction the occupiers are sometimes resettled on land other than that which they originally occupied — state owned or already expropriated for agrarian reform. More often they erect an encampment of sheds or tents (barracas) somewhere in the vicinity, generally in the right of way of a public road, state-owned and therefore unlikely to provoke another eviction. Maintaining cohesion during the period of litigation is an essential task. Their occupying presence is crucial to asserting the moral force of their demand to have a particular property expropriated. They do not always succeed. Some families leave during the occupation period; in the case of the occupation of two properties in Getulina, western São Paulo state, in October 1993, only 1000 of an initial 2500 families remained two years later (although some who left joined already established MST settlements; Paiero and Damatto, 1996: 41, 119).

Joining a land occupation entails a high commitment, as occupiers leave their entire life behind and wait to find out whether their gamble will pay off. While camped out they live on subsidies from the movement, donations from solidarity committees formed in unions and among other progressive urban dwellers, and their own labor on rented farmland or for wages. They risk waiting for years and getting nothing in the end. A second risk, selective though apparently growing since 1995, is of repression (to which I will return below). But if they win title to the land, the pay-off is also high.

Living in rural isolation and resisting repression cultivate commitment and a willingness to take risks. They are reinforced by a strong ideological discourse, transmitted in political education during the period of preparation and in the encampment. The repression the landless face in the countryside generates exactly the cohesion and tactical militancy needed to give them the staying power to enforce their demands.

A Lei

An occupation provokes an investigation by the Institute of Colonisation and Agrarian Reform (INCRA) to determine whether a property is expropriable. If it is, compensation

(*indenização*) for the owner is set. The owner may then go to court to challenge the expropriation or, more commonly, the value of the compensation. Some owners are happy to be expropriated; they may be able to negotiate a price better than the market value of the land (Petry, 1997: 35; Sejup 293, November 20, 1997).

The MST often wins — that is, occupations usually lead to expropriation, evidently because the MST is careful to occupy land which appears to be eligible under the law. The law establishes that once a property is expropriated, it will be redistributed to people meeting certain criteria of need. Occupiers have no formal standing in the process which will determine whether the property is expropriated; legally that is a matter between the owner and the INCRA. When an occupied property is expropriated, however, it is normally turned over to the occupiers.

Though without formal standing, occupiers living in a nearby encampment can exert a moral force. While they are camped out their presence is visible; they are living testimony both to their commitment and to their lack of alternatives. Though an occupation is a militant act requiring ideological commitment and willingness to undertake significant risks, the MST nevertheless assumes and benefits from a public posture embracing moderation and legality. Occupiers demonstrate their willingness to work. They actively mobilise both solidarity (through urban movements including trade unions) and public opinion, claiming that giving the land to those willing to work it could solve the problems of unemployment and food shortage. They also, of course, claim to be acting to enforce the law. The occupation per se is illegal, but they can accurately claim that their aim is to secure enforcement of the law which provides for expropriation of the property, and they are often legally vindicated.

For external consumption, therefore, they claim legal sanction and social utility for their cause. Their leaders like to say that the battle for agrarian reform will be won in the cities, in the court of public opinion, and they can claim at least some success there. According to a poll taken by the Brazilian Institute of Public Opinion and Statistics (IBOPE) in March, 1997, 52% were generally favourable to the MST and 85% approved of land occupations as long as they were not violent (Sejup 268, April 3, 1997).

The Reaction of Landowners and the State

Landowners have frequently responded with violence. Many owners contract paramilitary groups or individual hired guns (*jagunços* and *pistoleiros*) directly, or they enlist the official forces of order. The CPT publishes an annual report on rural violence; it tallied 976 murders between 1985 and 1996. The killings were at their peak in the late 1980s, reaching 161 in 1987, when supporters and opponents of agrarian reform mobilised to exert pressure on the Constituent Assembly. Thereafter, the number fell, but the 54 deaths registered in 1996 made the highest total of the 1990s (FSP via BOL, 14/04/97; ICFTU, 1997).

The pattern of violence appears to have shifted during that period, in two ways. In the 1980s the targets were usually squatters and rural trade union activists rather than land occupiers; national MST leader João Pedro Stédile claimed in 1994 that only five of the movement had been killed in the previous decade ('Olhai ...', 1994: 72). But the most widely publicised incidents of rural violence in 1995 and 1996 were directed against land occupiers and left at least thirty dead. Second, in the past, paramilitary forces played the major role, but police forces have been more active in recent years.

I shall present a number of examples of violence directed at land occupiers; first, major massacres in 1995 and 1996, which were widely reported in the national and international media, and then two more typical cases involving fewer deaths, which received less attention.

On August 9, 1995, military police and armed civilians made a predawn raid on the Santa Elina *fazenda* (estate) in Corumbiara, in the jungle of the far western state of Rondônia, which had been occupied by landless workers a few weeks before. The death toll was two military policemen and thirteen occupiers, including four who were missing after the raid and whose bodies were discovered later; one occupier disappeared and was never found. Autopsies showed that four of the farmworkers were shot from behind at close range, *O Globo* newspaper reported (Amnesty International, 1998; Reuters, August 15, 1995 via Lexis/Nexis).

On April 17, 1996, 2000 MST militants blocked a highway in Eldorado do Carajás, Pará, demanding the expropriation of the Macaxeira *fazenda*, which they had occupied a year earlier. Military police fired on them, killing nineteen. A camera crew from a local television station, caught in the traffic jam, filmed the massacre. The videotape showed that the police had approached the demonstration firing machine guns into the air and then fired directly at the demonstrators. Doctors who examined the dead found signs that some had been shot execution-style, and MST leaders claimed that the police had killed them at point-blank range after capturing them. A witness claimed that a landowner of the region had paid the Military Police to attack the demonstrators, soliciting funds from other landowners for the purpose (FSP via BOL, 4/18/96; AFP, April 20, 1996, via Lexis/Nexis; Nicaragua Solidarity Network, 5/5/96; Reuters, May 3, 1996, via Lexis/Nexis).

The existence of a videotape, broadcast nationwide, assured greater public attention for this event than for most attacks on the rural poor. President Cardoso promised to investigate and the 155 military police who had participated in the attack were all indicted. The indictment, however, appeared to be a symbolic gesture to avoid accusing any individual. The MST subsequently denounced the failure to investigate the massacre adequately, claiming among other things that surviving victims were not asked to identify the responsible policemen, and that when the policemen returned their weapons, they were not checked in, nor were the policemen's hands inspected for gunpowder. Because some weapons had not been fired, any accused MP could claim that he had not fired (MST, 9/9/96). Two years later, no one had been brought to trial.

Violence carried out by freelance and paramilitary groups hired by landowners, though more frequent, is smaller in scale and receives little attention. In January 1997, two occupiers were killed — in an ambush, the MST claimed — on the Pinhal Ralo *fazenda* in Rio Bonito de Iguaçu (Paraná) which was scheduled for expropriation. Two employees of the company that owned the *fazenda* were later arrested and accused of the murder (FSP via BOL, 23/01/1997, 05/03/97).

On March 26, 1998, two state MST leaders were murdered in Parauepebas (Pará), close to the site of the Eldorado massacre. The Goiás II *fazenda* had been occupied two weeks before by approximately 550 families, but after negotiations they agreed to leave voluntarily. According to the state MST organisation, the state secretary for public safety had assured the occupiers that the military police would not be called in for any eviction (MST communiqué, March 27). The occupiers left the *fazenda* and marched several kilometers to a campsite. A group of landowners, hired gunmen, and off-duty military policemen, who had arrived to watch, seized the two MST leaders, who were survivors of the massacre of

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The MST has been the target of legal repression as well as violence. The treatment of MST leaders in the Pontal do Paranapanema is a case in point. The Pontal, a vast region of western São Paulo state which has been cleared for ranching only since the 1950s, has been the principal site of MST occupations since 1995. In that year 22,000 families occupied 59 ranches. Here a group of ranchers announced in September 1996, that they had reconstituted the UDR (FSP via BOL, 15/9/96; Groppo, 1996; Los Angeles Times, December 3, 1995, via Lexis/Nexis).

In October 1995, six leaders of the MST were charged with 'forming a criminal band.' Four were arrested and warrants were issued for two who remained at large, including national MST leader José Rainha. Among the arrested was Rainha's 25-year-old wife, Diolinda Alves de Souza. Released after two weeks and then rearrested, she became an instant national celebrity when a local police chief made clear that she and the other three detainees were being held as hostages and offered to release them if the two fugitives turned themselves in. State governor Mário Covas complained that the arrest warrants hindered negotiations in progress with the MST to resolve the occupation crisis. A federal court ordered the detainees released on bail on March 12, 1996 (IPS 2/1/96; Latin American Newsletters, 1996; MST, n.d. [b]).

The story replayed itself a year later. Late in 1996 a group of occupiers entered São Domingos *fazenda* in nearby Sandovalina and planted corn; they remained camped out nearby, and on February 23, 1997, 2500 occupiers entered the property to harvest it. Eight people were wounded by shots fired from within the *fazenda*; five men, including the landowner's son and four hired gunmen, were arrested. A week later a judge released the five on bail (FSP via BOL, 26/02/97, 05/03/97). On February 24 the same judge had signed a warrant for the arrest of five MST leaders, including Rainha, claiming that they had led the occupiers into the *fazenda*.

Many would consider the decision of the judge as strange. When arrest warrants were signed for this same group by another judge in the Pontal region in early 1996 and for the same motive, the warrant was cancelled by the Superior Justice Tribunal. (Sejup 264, February 27, 1997)

In 1997 too the warrant was cancelled by the superior court on April 8 (FSP via BOL, 13/4/97).

Rainha was also accused of a crime in the state of Espírito Santo: participating in the murder of a police officer and a landowner during a land occupation in 1989. Rainha claimed that he was in the state of Ceará on the day of the killings; five witnesses supported him, including a Ceará state deputy. The case was not tried until 1997. No one testified that he had been present, and his attorneys charged that the pre-trial depositions of witnesses were contradictory. On June 11 he was convicted and sentenced to more than 26 years in prison, even though he was only accused as an accomplice. A retrial is automatic under Brazilian law for a sentence of twenty years or more; in September the state criminal court ruled that the new trial should be held in the state capital, Vitória (FSP via BOL 11/06/97; FSP via BOL 23/09/97; Sejup 276, June 12, 1997).

Repression can serve positive functions for movements by strengthening internal cohesion and allowing adherents to claim public sympathy as victims. In my research on the war in El Salvador, I found that refugees and political prisoners cultivated a public image of victimhood and claimed legitimacy on the basis that their mistreatment violated international law and human decency, but they also promoted tight internal organisation and political action to struggle against their victimisation (Hammond, 1996, 1998). The MST does not deliberately assume an image of victimisation; but repression against it has increased as its activity has increased.

ORGANISING COMMUNITIES TO PRODUCE

The MST's ability to combine internal discipline and external legality appears to be among the factors that have enabled it to win many expropriation battles. According to MST data (Table 1), in 1996 there were 1564 agrarian reform settlements (assentamentos) with a total of 4,870,000 hectares and 145,712 families.³ Of these assentamentos, it is impossible to know how many can be directly attributed to the MST; some are organised by competing organisations, some are independent, and some are due to government resettlement programs (see note to Table 1).

Approximately half the assentamentos, families, and land area are in the northeast. Of the remaining assentamentos, the greatest number is in the southern region, but the greatest number of families is in the northern region; the greatest land area is in the center-west region, with the northern region not far behind. The size of assentamentos in these two regions, largely frontier areas, reflects the low population density and, more importantly, occupations by the MST on the huge property claims that have been carved out, usually for speculation, on the frontier. Assentamentos in these two regions have correspondingly more land per family than in the other three regions: 68 hectares in the center-west and 38 hectares in the north.

Occupiers come from a variety of social backgrounds, though with rural poverty as a common element. While there are no comprehensive data, impressionistic reports suggest variation by region. In the south, most occupiers have been independent farmers — owners, sharecroppers, or renters — squeezed out by dam construction and by capitalist landowners who choose to farm land previously turned over to tenants. Many occupiers in São Paulo state have spent some time living and working in cities, though most are rural in origin. In one exceptional, but highly publicity-worthy case, several homeless people in São Paulo were recruited to join an occupation near Itapeva. In the northeast, most occupiers have apparently been farmworkers. On the northern frontier they are relatively recent migrants from the drought-ridden northeast, as well as some southerners who migrated north in the early 1980s to join colonisation projects. In each region, they mirror the ethnic composition of the rural areas: mainly descendants of German and Italian immigrants in the south, Afro-Brazilians and descendants of the first Portuguese settlers in the northeast, and a mixture in the southeast (Gaiger, 1987: 68-73; Grzybowski, 1987: 23; Guanziroli, 1994; Sarima Neto, 1997; Paiero and Damatto, 1996; Scherer-Warren, 1988: 251-252; Zimmerman, 1994: 206; interviews with Itapeva settlers).

Occupiers who win title establish themselves as farmers, either dividing the land into individual parcels or farming it as a cooperative. Because agricultural and marketing conditions vary widely across Brazil, some assentamentos offer conditions highly favourable to production and profitability, but others have poor soil, insufficient rainfall, and no access

TABLE 1. Agrarian Reform Assentamentos in Brazil, 1986–1996

	No. of assentamentos	No. of families	Area (000 ha)	1000 ha./ assmto.	ha./ family
North					
Acre	2	387	40	19.9	103.0
Amazonas	2	1221	136	67.8	111.0
Amapá	1	153	8	7.8	50.7
Pará	19	10,812	474	25.0	43.9
Rondônia	3	1347	71	23.5	52.4
Roraima	3	949	103	34.2	108.1
Tocantins	96	8381	42	0.4	5.0
Northeast					
Alagoas	12	857	9	0.7	10.2
Bahia	106	11,323	371	3.5	32.8
Ceará	136	8314	297	2.2	35.7
Maranhão	136	26,685	1041	7.7	39.0
Paraíba	70	4998	51	0.7	10.2
Pernambuco	124	8318	73	0.6	8.8
Piauí	139	7489	326	2.3	43.5
Rio Grande do Norte	e 60	5265	111	1.8	21.0
Sergipe	53	3055	39	0.7	12.8
Southeast					
Espírito Santo	34	1131	13	0.4	11.4
Minas Gerais	37	3454	139	3.7	40.1
Rio de Janeiro	47	3701	32	0.7	8.8
São Paulo	48	5462	98	2.0	17.9
South					
Paraná	134	8223	162	1.2	19.7
Rio Grande do Sul	111	5376	104	0.9	19.4
Santa Catarina	77	2821	48	0.6	17.1
Center-West					
Goiás	51	3114	168	3.3	53.9
Mato Grosso do Sul	26	5142	143	5.5	27.7
Mato Grosso	37	7734	774	20.9	100.1
Regional Totals					
North	126	23,250	872	6.9	37.5
% of total	8.1	16.0	17.9		
Northeast	836	76,304	2317	2.8	30.4
% of total	53.5	52.4	47.6		
Southeast	166	13,748	282	1.7	20.5
% of total	10.6	9.4	5.8		
South	322	16,420	315	1.0	19.2
% of total	20.6	11.3	6.5		

TABLE 1 Continued

	No. of assentamentos	No. of families	Area (000 ha)	1000 ha./ assmto.	ha./ family
Center-West % of total	114 7.3	15,990 11.0	1085 22.3	9.5	67.8
Total	1564	14,5712	4870	3.1	33.4

Notes: Data as of March 1996.

The government counts 285 assentamentos in the northern region, not including Tocantins, with a total of 148.789 families. But only 10% of these are considered agrarian reform assentamentos; 90% are colonisations in public lands, or expropriations in virgin territory.

In Mato Grosso, the government counts 74 assentamentos with 15,469 families, but 50% of them are colonisations.

Source for raw data and notes: MST, Assentamentos de reforma agrária no Brasil (1986-1996), from MST Website, www.mst.org.br.

to markets (Sarima Neto, 1997). In 1992 the United Nations Food and Agricultural Organisation (FAO) surveyed a nationwide random sample of assentamentos that were at least two years old (Guanziroli, 1994). The survey showed that settlers' monthly earnings are 3.7 times the minimum wage on the average, close to the national average of 3.82 times the minimum wage,⁴ and significantly above the rural average. During their struggle, therefore, the members can apparently look forward with some confidence to a satisfactory outcome which provides them an income much better than they are likely to be able to count on either as farm labourers or as urban workers.

Assentamentos are eligible for credit to finance planting and investments under PRO-CERA (the government's Special Credit Program for Agrarian Reform) which provides an average of R\$7500 per family for investments and R\$1000 for expenses (the currency is the real, R\$1.00 = US\$.90; CONCRAB, 1996: 25). A separate program provides credit for housing. Their record of repayment has not been established because the loans are for a ten-year interest-free period.

Income as measured in the FAO survey differs widely between regions: it is highest in the south, with an average of 5.6 times the minimum wage; the north, southeast, and center-west are above the national average at 4.2, 4.1, and 3.9, respectively, while *assentamentos* in the northeast produce an average family income of only 2.3 times the minimum wage. Income is thus highest in the southern region because *assentamentos* have more capital and better access to markets, even though they have the smallest amount of land per family. Earnings vary even more widely between individual *assentamentos* than between regions: the FAO study showed that the lowest average family income in an *assentamento* is less than the minimum salary (that is, below the poverty line) and the highest more than twelve times the minimum salary (Guanziroli, 1994: 23–25).⁵

Thus while some *assentamentos* remain marginal, others are highly productive. They sell their farm goods to multinational corporations which market them with nationwide brand names; they have even diversified from agriculture to such activities as a clothing factory and a distillery, demonstrating a business success that *Time* magazine has called 'guerrilla capitalism' (Padgett, 1998).

The settlers on a new assentamento must create not only a farm enterprise but a community. This process begins in origin groups and continues in the camps and then in the legalised settlements. Education has been among the major communal commitments of the MST: Children in encampments are educated, sometimes in schools created in the encampments themselves — they have 850 schools with 1500 teachers and 35,000 children, according to the MST — sometimes in nearby public schools. The MST's elementary education programs were recognised by UNICEF in 1993 (Caldart, 1997; MST, n.d. [a]).

Children who have grown up in the older *assentamentos* are encouraged to pursue education to high school and beyond, especially for training as teachers and technicians in agronomy. The MST has created schools of its own for technical and political education of its leaders.

Adults receive literacy training. According to a 1996 Folha de São Paulo survey, 22% of occupiers had no education and 68% more had not completed primary school, rates higher than those in the rural population as a whole (FSP via BOL, 30/06/96). The movement encourages literacy and political education and adopts the model of popular education inspired by Paulo Freire and widely used in church-based popular movements in Brazil. The MST produces pamphlets written in simple language covering political goals, cooperative organisation, the history of peasant struggles in Brazil, and the exploitative nature of agrarian capitalism. Political education, accompanied by the singing of anthems and the chanting of slogans, is part and parcel of basic education as well as of more advanced training in brief conferences and for full-time students in the movement's schools.

According to an MST document, the movement has four educational priorities: universal literacy for adults, expanded primary and secondary education for children, technical and professional training, and 'developing a new pedagogical proposal for rural schools... to prepare social subjects in a new development model,' directed at agricultural skills, citizenship, and dignity — contrary to the practice in rural public schools, which the document claims train people only for migration to the city (MST, n.d. [a]).

Operating a farm successfully is different from organising a land occupation, and the MST retains a responsibility and close connection to the *assentamentos* established under its leadership. At its national meeting in 1989, the movement adopted the slogan, 'Ocupar, resistir, produzir,' explicitly recognising its obligation to improve production on the assentamentos. In 1992 it spun off a subordinate organisation, CONCRAB (Confederation of Agrarian Reform Cooperatives of Brazil), which coordinates technical assistance (CONCRAB, 1996).

Organizing to produce does not always run smoothly. Internal disputes arise in similar form on many assentamentos. The division of land is usually a contentious issue, with the MST leadership arguing for cooperation and the INCRA technicians often promoting individual plots. Assentamentos have adopted a variety of alternative arrangements including full-scale cooperatives, division into individual plots, and mixed forms involving some individual land for each family with some collective production and/or shared purchase of equipment and livestock and development of infrastructure (cf. Bergamasco, Blanc-Pamard and Chonchol, 1997; Zimmerman, 1994; Paulilo, 1996).

There have been political divisions within the national leadership as well. Relations with the base have also been controversial. Leadership is highly centralised (Gohn, 1997; Torrens, 1994). The movement funds ongoing occupations by a tax (described as voluntary) on all members of one per cent of income. Recently it acknowledged that it creams off part of the agricultural credit they receive to support the organisation (Santos, 1997; Stédile, 1997).

One might expect the militancy required for organising occupations across the country to conflict with the imperative to promote production and create stable community structures. The *Time* magazine article mentioned above, which enthusiastically recounts the *assentamentos*' business success, calls the Che Guevara posters still in view on some of them 'mere decor' and says that the movement, though 'stridently socialist in its public pronouncements, ... has also become a force for corporate entrepreneurship' (Padgett, 1998).

Few observers agree that the movement has watered down its politics, however. So far there has been no sign that the obligation to maintain existing assentamentos has impeded the organisation of new occupations. Ongoing collective mobilisation is encouraged by the assentamentos' isolation and their origin in high-commitment activity. The experience of occupation and the ideological conviction gestated through the process of occupation, eviction, encampment, and finally settlement, and later the identification with other occupations which suffer repression, contribute to the maintenance of commitment. According to Lúcio Flávio de Almeida and Félix Ramon Sánchez, the movement aims to create the model of an 'opposition cooperative' simultaneously meeting goals of economic efficiency and political mobilisation (1998:81).

The MST and the Prospects for Agrarian Reform

The MST acts in an organisational field which, while not exactly crowded, is nevertheless shared with other organisations; but the MST alone manages to combine the legalistic and the militant face. The two other most important organisations working on behalf of the rural poor — the CPT and the National Confederation of Agricultural Workers (CONTAG) — have ceded leadership of occupations to it. The MST grew out of the CPT, whose influence is still strong, but the two reached a deliberate, amicable separation to allow the movement tactical independence from the church. The rural trade unions affiliated with CONTAG have played a major role in land occupations in some localities. But the federation has historically endorsed a pragmatic strategy. It has mainly organised salaried farmworkers, working to secure benefits for them within the existing system. Its welfare functions tie it closely to the state, and it has not shown much concern with agrarian reform (Gros, 1992; Houtzager, 1998; Maybury-Lewis, 1994; Pereira, 1997; Torrens, 1994).

Some small splinter groups promote land occupations. Some of them espouse variants of Marxism and others identify with the dominant tendency of the Workers' Party, unlike the MST leadership which is closer to the left wing of the party. Their overall influence is slight, however (FSP via BOL, 16/12/96, 28/02/97, 15/03/97; Sejup 285, August 28, 1997; Sejup 304, February 26, 1998; interviews).

We can also compare the success of the MST to the relative stagnation of other popular movement organisations occupying more or less the same ideological space. Urban movements which were very active in the 1970s and early 1980s seem to have declined. For example, the housing movement and the women's movement — with its various branches including the women's health movement and the day-care movement — show little visible activity. Their focus was diffused by participation in a succession of nationwide campaigns (for direct elections, popular amendments to the constitution, and the impeachment of President Collor) and many of them have been virtually coopted by the PT. Even those that remain independent lack a clear strategic direction.

The MST deliberately avoids close alliances with other movements and the PT. It endorsed Lula (Luiz Inácio da Silva), the PT presidential candidate, for the 1998 election

Some have argued that to achieve agrarian reform, the MST should abandon militant direct action. Because the land problem is a political as much as an economic problem, in this view, advocates must persuade officeholders and the public that land reform is a necessary step in the modernisation of the economy and the consolidation of democracy. Only then will they win enlightened capitalists away from their alliances with reactionary landowners (Gros, 1992; Tavares, 1995).

While the MST's rhetoric is in no way inconsistent with support for economic modernisation, democratic consolidation, and alliance with enlightened capitalists, its strategy clearly privileges direct action and emphasises the immediate objective of land takeovers over broader political alliances or conciliation of those in power. That strategy has been at least reasonably successful.

Success is in part due to a factor to which the MST gives no credit: Cardoso's presidency. The upsurge in occupations since 1995 has been possible at least partly because the Cardoso government is publicly committed to land reform as its predecessors were not. Cardoso claims, accurately, that he has done more for agrarian reform than any previous government since the restoration of civilian rule in 1985. For the most part, however, when the government acts it is only because the MST applies pressure relentlessly. The need to placate his conservative nominal allies prevents Cardoso from supporting agrarian reform consistently.⁸ The government's declared commitment, coupled with its relative inaction, has created a situation which the movement has deftly turned to its advantage.

The federal government vacillates, acting in response to the political moment. Several government-sponsored laws favourable to agrarian reform were enacted in 1996 after the Eldorado massacre: jurisdiction over some crimes committed by military police was transferred to civilian courts; summary proceedings (*rito sumário*) were adopted to speed up processes of expropriation; the rural land tax on unproductive agricultural land was raised to 20% of value per year.

The government sponsored all these measures because indignation at the massacre was widespread and demanded a response. But Cardoso's control over the votes of his conservative governing coalition is particularly limited on issues involving human rights and land. While the land tax in particular represented a defeat for the ruralist bloc, all the measures were watered down significantly. The Senate found itself forced to consider a bill (which had already been passed by the Chamber of Deputies) to give civilian courts jurisdiction over crimes committed by military police. These offences had been tried in military courts, and the change was a longstanding demand of the Brazilian human rights movement. The Senate gutted the measure, however, with amendments providing that only charges of intentional homicide would be transferred to civilian courts and leaving the determination of transfer to military courts. With the *rito sumário* law, the government sent a message saying, 'No more land occupations!' by excluding occupied land from accelerated judgments (US Department of State, 1997; Latin America Weekly Report August 29, 1996 via Lexis/Nexis).

Administrative measures can similarly weigh in on both sides. At various times administrative edicts and the deployment of security forces have indicated new clampdowns, but shows of force against particular occupations are often followed by further concessions. Despite the provisions in the *rito sumário* law to discourage occupations, local INCRA employees who carry out the investigations to determine whether occupied properties will be expropriated are often sympathetic to the occupiers.

In April 1998, the government announced an increase in funding for the special credit program PROCERA: the year's budget would increase from R\$420 million to R\$620 million and the maximum credit to an individual settled family would rise from R\$7500 to R\$9500 (FSP via BOL, 01/04/98). (This increase followed closely upon the murder in March of the two MST leaders who had survived the Eldorado massacre.) If the government alternates between concessions and clampdowns to please the movement's rightwing opponents, keeping up the pressure appears to be the most viable strategy. Without it there would almost certainly be no concessions.

Rhetorically, the MST gives Cardoso no quarter, attacking the government's agrarian policy as it attacks his neoliberal policies in general (the MST actively opposed the privatisation of the huge state mining enterprise, Companhia Vale do Rio Doce, in 1997). The movement accuses the government of exaggerating the progress of agrarian reform. The movement's newspaper said that the number of families that had been resettled in the first ten months of 1997 was not 53,000, as INCRA had claimed, but just over sixteen thousand. Stédile has accused the government of suppressing its own census of assentamentos because it showed that in Cardoso's first two years 59,000 families had been resettled, not the 150,000 that the president has claimed ('As mentiras ...', 1997: 11; Souza, 1997: 29).

The 1997 demonstration in Brasília and the media stardom of some leaders may foreshadow an alternative strategy relying more on the media and shows of force on city streets than on direct action. Such a new strategy offers uncertain prospects. Public opinion and media attention are notoriously fickle. Popularity in polls can be ephemeral; events are susceptible to alternative interpretations, and the public's attention span is short, especially on issues on which most people recognise no strong personal interest. Media strategies produce outcomes that movements cannot control. Even when polls remain favourable they do not assure any particular policy response from authorities (cf. Gamson and Modigliani, 1989; Gitlin, 1980).⁹

On the other hand, there are several potential limits to continued success under the present strategy. The possible conflict with the imperative to produce has already been noted. The upsurge of activity since 1995 must be attributed in part to the Cardoso government's claim to support land reform. Finally, it would be foolhardy to predict that the MST can continue to occupy land piece by piece without arousing more fundamental and decisive political opposition than it has met so far. Landowners have a long history of resistance, and the present regime, by promoting economic concentration and export-led development, relegates considerations of equity to second place; it is not to be pursued for its own sake but supposedly to be achieved as a byproduct of economic growth. Neither circumstance augurs auspiciously for agrarian reform.

CONCLUSION

I will conclude with two theoretical implications, one about social movement strategies and one about human rights.

First, the issue of law and disorder: as I have argued, the combination of direct action and legal means in the MST's strategy accounts for the degree of success that the MST has enjoyed. The combination is dictated in large part by the unevenness of Brazil's economic and political development, so that the same movement has to act differently in different arenas. On the one hand, landowner opposition is fierce in degree and methods, and the MST must act forcefully to have any effect. Agrarian reform, moreover, is by definition a rural issue, so that when the movement acts, it does so in relative isolation. The need for forceful action, together with isolation and repression, imposes militancy, tight organisation, and a committed membership. At the same time, however, Brazil has a superstructure of democratic governance through its legislative and judicial systems and an agrarian reform law of which the movement can take advantage provided that it can claim to be a legitimate actor.

This is not to imply that the combined strategy is purely dictated by structural conditions; it is also a matter of choice and grows out of the particular ideological formation — radical Christian and Marxist in an uncertain and varying combination — present in most progressive movements in Brazil.

It has often been observed that social movements face contradictory pressures from inside and outside. The greatest internal problem is to mobilise and maintain member commitment, which is often served by isolation and radicalisation. Seeking concessions from authorities, on the other hand, requires movements to establish a show of respectability and legitimacy; to do so, they must contain their struggle and routinise their behaviour, often at the cost of frustration and demobilisation of activists (cf. Freeman, 1975; Tilly, 1997:8).

This duality of strategic and tactical orientation is often resolved by a division of labour between organisations, some to disrupt and others to negotiate; some concentrating on member commitment and others on legalism and lobbying (cf. Haines, 1984; Staggenborg, 1988; Turner, 1970: 154–55; Walker, 1963). The MST is unusual in that it has managed, for the present at least, to resolve this dilemma differently and use both types of tactics within the same organisation.

The second issue is the relation of land tenure to human rights. Much of the literature on human rights addresses the relation between civil and political rights, on the one hand, and social and economic rights, on the other. Some argue that liberty conflicts with equality, and that the two cannot be pursued simultaneously. Others argue that they are inseparable; those who endorse the latter view place different priorities on either category of rights, some arguing that civil and political rights are a necessary condition without which it is impossible to enjoy economic and social rights, and some the reverse (Berlin, 1969; Correa and Petchesky, 1994; Cranston, 1983; Farer, 1983; Human Rights Watch, 1992; Nickel, 1987).

In rural Brazil today, security of person — the basic civil right — and democratic self-government — the basic political right — are closely tied to the ability to secure a livelihood, the basic economic right; those who wish to deprive others of the right to economic security in order to defend their own economic interests use means which threaten their physical security and corrupt the democratic process. No one of these deprivations of rights will be resolved without addressing the others. Rural violence has been one of the main topics of attention of the Brazilian and international human rights movement, along with police brutality, especially against prisoners and homeless children.

Political reality makes a resolution of the land question difficult but also keeps the issue alive. The present distribution of land ownership and the inequality of power based on it are an impediment to democracy — first, because people living on the edge of survival cannot meaningfully participate in their governance; second, because the means used by the wealthy and powerful to preserve their wealth and power become an absolute barrier to the rule of law.

Acknowledgements — This is a revised version of a paper presented at the Latin American Studies Association, 1997. I am grateful to Cláudio Nascimento for keeping me supplied with information; to João Feres, Bill Fisher, Maria da Glória Gohn, Ann Mische, Ronaldo Macedo, Tony Pereira, Solvador Sandoval, Ricardo Tavares, and Barbara Weinstein for helpfull comments; and to Cliff Welch for getting me to write it.

NOTES

- 1. *Na marra* might best be rendered 'by any means necessary;' though often translated as 'by force,' it suggests but does not necessarily imply violence. I translate the slogan 'By law or by disorder' because 'By law or by any means necessary' lacks the rhythm and euphony of the original.
- 2. Ownership of rural property is often poorly defined, readily permitting fraudulent title claims. James Holston argues that the land grab (grilagem) is part of how the legal system works, not an exceptional violation. The grileiro 'pretends to have legitimate title to the land through a vast repertoire of deceptions' (Holston, 1991: 700). Land grabs occur not only or mainly on the recently urbanized peripheries of expanding cities of which Holston writes, but primarily in rural areas. New roads and the conversion of huge virgin territories to cultivation or pasture in the last generation have produced innumerable opportunities for fraudulent property claims (cf. Hall, 1990; Maybury-Lewis, 1994).
- 3. Reliable statistics are hard to find. Fernandes (1996: 243), citing Agenda 1995 do MST, reports data for 1995 which are hard to reconcile with the data reported here; some numbers are smaller and some are larger, though discrepancies are small and the regional totals are generally similar. The CPT, on the other hand, reported 1123 assentamentos with a total of 7,253,594 hectares and 139,223 families for 1996 (CPT, 1996).
- 4. The *salário mínimo* is not a legally enforced minimum wage but a standard, roughly indexed to the poverty line, which is used to determine pensions and public employees' salaries and indexed to inflation in the prices of basic necessities. Because of Brazil's history of hyperinflation, the minimum salary has become the common standard for measuring incomes rather than any currency unit.
- According to Zánder Navarro, the FAO study greatly overestimates the income generated on assentamentos (1997: 128n). It nevertheless remains the most comprehensive and complete study of their production and income.
- 6. Time's account appears to be based on misunderstandings of both the MST's past and its present. Direct action comes from the MST's Catholic roots and its political pragmatism; though the strategy requires discipline and militancy, and despite the presence of Guevara posters and militant rhetoric, the MST has never been an armed revolutionary organization. Time's account of the effects of business success, on the other hand, appears to rely mainly on one of the most successful assentamentos in Rio Grande do Sul, the state where (as the data summarized earlier show) assentamentos in general are more prosperous than elsewhere in the country.
- Leftwing union leaders have recently won elections in several state federations and CONTAG has affiliated with the CUT, the PT's union federation, but the effect of these changes has not yet been tested.
- Cardoso often treats the right wing of his coalition more gently than members of his own party, especially on agrarian issues. In 1997 he accused two PSDB state governors, Mário Covas of São Paulo and Almir Gabriel of Pará, of being too lax in allowing landless farmworkers to invade properties (FSP via BOL, 05/02/97).
- 9. O Rei do Gado, the telenovela about a land occupation referred to earlier, is a good example. It undoubtedly drew the attention of millions of people to the plight of land occupiers every night for several months, and it presented landowners in such a bad light that some of them threatened to sue the author. Nevertheless the image of conflict in the countryside that it presented did not necessarily reinforce the MST's position: a key plot element was the romance between a landowner and a beautiful occupier (Osava, 1998). Viewers might conclude that the solution to rural poverty is not agrarian reform but love.

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